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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Jan. 10, 1980

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NEXT MEETING: Thursday
Jan. 24, 1980
First Floor, LURIE ROOM
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners:

Present: David Yamakawa (presiding), Vernon Alley, Lia Belli, Sister Bernadette Giles, Antonio Grafilo, Mrs. Willie B. Kennedy, Pius Lee, Phyllis Lyon, John C. Morrissey, Joan Zamora Moulton.

Excused: Rabbi Alvin I. Fine, Caryl Mezey, Nadim Zarour.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Lloyd Cowan, Don Hesse, Joe Meza, Gail Roberts, Mary Gin Starkweather, Essie Thomas.

Pledge of Allegiance

Minutes of the Meeting of December 13, 1979 approved.

The December 27, 1979 meeting was cancelled.

COMMUNICATIONS

- From Walter L. Johnson, President, Department Store Employees Union Local 1100, a letter confirming a verbal discussion concerning union charges of a "discriminatory attitude" by middle management of the Emporium department store against a group of Black employees. Mr. Johnson said the union already has tried to resolve the issue through collective bargaining and other meetings, but unsuccessfully, and that it intends to follow a grievance procedure within its contract and will file chages with the National Labor Relations Board and other government agencies.

Director Mickins noted that the HRC has had a long association with the Retailers' Community Relations Group, made up of major downtown retail stores, and that the HRC will, further, review the issue under its Chapter 12A jurisdiction, asking for further details on the charges.

- From Milton H. Mares, Chief Labor Negotiator, Employee Relations Division, Board of Supervisors, requesting an analysis of how the HRC could or could not operate on a 32-hour, 4-day work week. A subsequent clarifying letter from Mr. Mares asked for comment on how departments could stagger work schedules and offer a full, 5-day service, while having employees work 32-hour, 4-day weeks.

- From Gilbert Boreman, Clerk of the Board of Supervisors, at the request of Supervisor Silver, seeking departmental information on establishing flexible working hours schedules to alleviate rush hour traffic problems.

- From F. Campagnoli, President, War Memorial of San Francisco, responding to the HRC's December 11, 1979 letter regarding charges brought to it by the Citizens Committee for the Reform of the San Francisco War Memorial Board of Trustees, and referred by Mayor Feinstein, that the HRC's Nondiscrimination Ordinance, Chapter 12B of the City Administrative Code, had not been attached to the contract the board let to an executive search firm in seeking candidates to become managing director for the new City Performing Arts Center. Mr. Campagnoli wrote that "the failure of the Board to include provisions of Chapter 12B.1 in the contract between it and the firm of Heidrick & Struggles was an oversight". He said the firm had assured him that all applicants were treated equally, and pledged that the board will in the future see that copies of Chapter 12B are incorporated in all future agreements.

- To former Commissioners Dan Silva, Sylvester Herring, and Donna Solomon, all of whom resigned in recent weeks, thanking them for their service as members of the HRC.

- From Richard Heath, Director of San Francisco International Airport, a copy of a request sent to City Attorney George Agnost, through Don Garibaldi, for a formal opinion on whether the Airports Commission may, as part of an affirmative action program "set aside certain specific Airport concessions or certain specific terminal concession spaces for lease by minority or female-owned enterprises within a bidding procedure framework". This is the Minority Business Enterprise, or MBE, Program, with which the HRC has a close affiliation, of course. Mr. Heath's request was read in full.

Director Mickins commented that the HRC has had varied and unclear legal opinions from deputy city attorneys regarding participation in MBE work at the Airport, and that it welcomes Director Heath's request to Mr. Agnost leading to determining the Charter authorization for the HRC's developing and applying guidelines for MBE procedures at the airport.

- Commissioner Lyon inquired if the Mayor's recently-announced proposal to set up a bi-county (with San Mateo) agency to operate the San Francisco International Airport would affect the HRC's jurisdiction in affirmative action there. Director Mickins said that the HRC's authority basically applies to private contractors (to the City)under Chapter 12B and does not apply to public agencies, e.g., the County of San Mateo.

Commissioner Lyon stated that any new legislation being drafted to be approved by a public vote that would set up a bi-county Airport agency should include specific provision for the HRC's jurisdiction regarding affirmative action.

- From Monte R. Mansir, Assistant Division Manager, Personnel, Civil Service Commission, materials relevant to the HRC's seeking to classify two new positions (2978 Employment Contract Compliance Officer II, and 2922 Employment Contract Compliance Officer I) to monitor the Wastewater Managment Affirmative Action Program.

- From Carolyn Erbele, California Public Interest Research Group, seeking individual Commissioner letters to Senator Milton Marks supporting Senate Bill 4, which would establish bottle refund payments in an effort to curb beverage container litter.

- Martin Luther King, Jr. Celebration Sunday will be held January 13, 1980, at 7:00 p.m., at the First Congregational Church, Post and Mason Streets. The HRC is co-sponsoring this event with the Conference on Race, Religion, and Social Concerns and a number of other religious and civic groups. The Rev. Ben Chavis, leader of the Wilmington 10, and Mayor Dianne Feinstein will be featured speakers. All members and staff of the HRC were urged to attend.

DIRECTOR'S REPORT

- Settlement Discussions Regarding Appeal by North Point Pier, Inc. (Pier 39) on a Finding of Noncompliance by the HRC.

One extensive meeting has been held with Steven Herman, attorney representing North Point Pier, Inc., working out conditions for settlement of this long-standing issue. It is hoped that a proposed settlement package can be presented to the full commission at its regular meeting on Jan. 24, 1980.

SPECIAL ORDER

NOMINATING COMMITTEE
Phyllis Lyon, Chairperson
Vernon Alley, Lia Belli

- Nominations for Chairperson and Vice-Chairperson for Calendar Year 1980.

Commissioner John C. Morrissey was nominated for Chairperson; Commissioner Willie B. Kennedy for Vice-Chairperson. They were elected to these positions unanimously.

Chairperson Morrissey praised outgoing Chairperson Yamakawa for his dedication, time, patience, and expertise in directing the meetings and work of the HRC for years prior to, and during 1979, and said he hoped, with Vice-Chairperson Kennedy's assistance, to live up to his high standards.

Commissioner Giles, echoed by several other Commissioners, expressed gratitude and thanks to Commissioner Yamakawa as well for his service as Chairperson.

STANDING COMMITTEES

EMPLOYMENT
Vernon Alley, Chairperson
Caryl Mezey, Co-Chairperson

- Position Paper-Sexual Harrassment as an Employment Issue.

Commissioner Alley introduced Frank Anderson of the HRC staff, who said the issue of sexual harassment as an employment issue had been brought to the Committee by two of its members who have had a series of complaints from legal clients alleging sexual harassment in employment. After a number of discussions and research on the issue, the Committee has provided a position paper document for HRC consideration. Mr. Anderson distributed copies of other studies, one by the U.S. Department of Housing and Urban Development (HUD), on the subject. Mr. Anderson then introduced:

Ms. Judith E. Kurtz, staff attorney with Equal Rights Advocates, Inc., who told the HRC that in the past year about 50 per cent of the firm's telephoned complaints have been from women alleging sexual harassment in employment. Charges include being fired because of refusal to accept sexual advances from employers, and being harassed by co-workers, especially in cases where the complainant is the only woman in the workforce or in a particular job category. In addition to bringing these cases into court, Ms. Kurtz said, it is felt that public education is vitally important in addressing the problem. This would include newspaper articles, such as those in current San Francisco newspapers about disciplinary actions taken against school officials or faculty who are found guilty of sexual harassment of students. Ms. Kurtz said, it is also important that employers be made aware of the extent of the problem, the number of complaints, and the relief sought and actions taken to end such sexual harassment.

Men can be affected as well as women but the majority of the complainants are women. This problem, said Ms. Kurtz, affects areas of housing and education, as well as employment. Such harassment adversely affects women's abilities to work, to be promoted, and to have equal working conditions with men.

Ms. Kurtz responded to questions from Chairperson Morrissey and Commissioner Grafilo following her presentation.

After the comment that harassment is a form of sex discrimination, an area clearly in the HRC's jurisdiction and concern, it was
*****m/s/c that the HRC adopt the Statement on Sexual Harassment as an Employment Issue as an official Position Paper. It is attached to these Minutes.

- Commissioner Giles commented that the Position Paper is a good beginning, but that the HRC can join with other individuals and groups concerned with making progress in this area (sexual harassment in employment), in raising public sensitivity, and helping them to be educated to the extent of the problem

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- At this point Director Mickins introduced Ms. Terri Simpson, who was present in her first visit to the HRC. Ms. Simpson is a Program Consultant in the Mayor's Office who will be liaison with the HRC.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Proposed Resolution Supporting the March on Sacramento Urging Passage of State Assembly Bill 1.

The HRC previously has endorsed Assembly Bill 1130, which became Assembly Bill 1 (Introduced by Assemblyman Art Agnos) seeking to establish statewide protection in California against discriminatory practices based on sexual orientation.

With a minor addition in wording it was
*****m/s/c that the HRC adopt the Resolution Supporting the March on Sacramento Urging Passage of Assembly Bill 1. The full text is attached to these Minutes.

- Report on Violence Against Gays. - Lloyd Cowan, HRC Staff.

Mr. Cowan stated that in the past year there have been repeated reports of violence directed against Gay individuals in the City. These reports have been made to Supervisor Harry Britt's office (more than 100 reported acts of violence in the past year), at neighborhood meetings with Project SAFE, at the HRC, and in the Gay press. He said that, unfortunately, there is disagreement between the Gay community and the San Francisco Police Department, specifically the Mission Station, as to whether the situation is critical in nature at this time. According to Marsha Seeley, Mission Dist. Coord. at Proj. SAFE, there are high intensity areas of incidents of violence, including: Church Street from Market to 19th; the area surrounding Mission Dolores Park; and from Dolores Street up 17th, 18th, and 19th streets to Collingwood, one block up from Castro.

Most of the assaults reported are directed at men by juvenile men, the latter usually operating in groups. However, said Mr. Cowan, attack victims also include women and the elderly.

An organization called the Community United Against Violence is encouraging individuals to carry whistles and to use them when in a crisis situation, and to respond when a whistle is heard. This has shown to be an effective deterrent against attackers. However, the numbers of attacks are not decreasing.

Captain George P. Jeffrey at the SFPD's Mission Station is quoted as saying the problem has been overblown. He does state, however, that the Police Department has no way of classifying violent attacks, when reported as anti-Gay.

At present, Mr. Cowan reported, Supervisor Britt's office is meeting with Captain Jeffrey on a weekly basis to seek resolution of this reported critical situation. The Gay Advisory Committee of the HRC hopes to cooperate in these efforts. The Committee also feels it of the utmost importance to bring the matter before the Mayor. On December 6, 1979, at the Coalition for Police Accountability forum, Mayor Feinstein stated she would support the creation of a task force out of her office to study the problem. The Committee will be presenting this report to the Mayor, and the concern of the HRC will be extremely helpful in implementing more actions to find solutions to the problem of violent attacks on Gays on the streets, Mr. Cowan said.

In discussion following Mr. Cowan's report, Commissioner Grafilo said there had been incidents in the South of Market area of attacks by Gays on Filipinos. Commissioner Moulton said, she would actively support establishment of a task force to study and recommend action to alleviate the situation.

Commissioner Belli stated that it was extremely important to establish whether there was any pattern to such incidents as Commissioner Grafilo referred to, such as whether attacks (Gay vs. Filipino) are random, or directed at a particular building or neighborhood. Commissioner Grafilo said one verified instance had occurred at Natoma and Eighth Streets.

Commissioner Lee urged that the new Chief of Police be apprised of all these concerns.

Commissioner Lyon said, that one stance common to all was that violence is no way to resolve any difference of opinion.

Chairperson Morrissey echoed her statement, saying the HRC can serve to help educate the public in opposing acts of violence, and that individuals must be zealous in supporting efforts to prevent these actions.

- Recommended New Member for Gay Advisory Committee.

Eighteen persons initially applied for the vacancy on the Gay Advisory Committee, which is limited by its enabling ordinance to only three members. Six finalists were interviewed, and the Committee has selected Marsha Seeley, Mission District Coordinator for SAFE, the Citizens Safety Project. Commissioner Lyon asked that Chairperson Morrissey formally appoint Ms. Seeley.

Commissioner Lyon said, the Committee feels three members are too few and it seeks to have its authorized size enlarged. She asked that the Administrative Committee look into this.

YOUTH AND EDUCATION
Willie B. Kennedy, Co-Chairperson

- Proposed Letter to Chief of Police Cornelius Murphy Urging Replacement of Eight Officers in Public High School - Commissioner Giles.

This document does not come out of action by the Committee, Commissioner Giles said, but grew out of attendance by Commissioner Giles recently as Chairperson Yamakawa's representative on the Juvenile Delinquency Prevention Commission. At this meeting, Officer Henry Williams, head of the Police Department's Juvenile Bureau, said eight officers currently assigned to the public high schools in the City had been promoted to the rank of inspector and shortly would be transferred, with no plans to replace them. Reports were made at this meeting also, of how effective the police officers have been in these assignments and how desirable it was that they be replaced.

Accordingly, Commissioner Giles and Essie Thomas, HRC staff for the Youth and Education Committee, drafted a letter for Chief of Police Cornelius Murphy, urging that he fill these eight vacancies in the public high schools.

It was
*****m/s/c that the HRC adopt the letter, the full text of which is attached to these Minutes.

It was noted that Chairperson Morrissey may appoint his representative to the Delinquency Prevention Commission.

NEW MATTERS

- Followup on Resolution on Patients' Rights.

Steven A. Estrine, Program Chief of the Community Mental Health Services office, responded to the HRC action in forwarding to him and others on his staff of the Resolution, adopted December 13, 1979. His letter stated that he is establishing a group to work on implementing ..."informal written consent policy for administration of psychotropic drugs". Commission Moulton said, that the HRC Resolution had not used the word "informal" in any context, and she asked that the Police Liaison/Social Issues Committee re-consider this issue. It was suggested that the HRC have input on Mr. Estrine's proposed work group.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, January 24, 1980, at 9:15 A.M., in the First Floor Lurie Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, Jan. 17, 1980, 9:30 A.M. HRC Offices, 1095 Market St. #509
Gay Advisory	Tuesday, Jan. 15, 1980 - Noon HRC Offices, 1095 Market St. #509
Housing & Urban Development	To be announced.
Police Liaison/Social Issues	Wednesday, Feb. 6, 1980, 2:00 P.M. HRC Offices, 1095 Market St. #509.
Youth & Education	Thursday, Jan. 17, 1980, 3:30 P.M. 1111 Buchanan Street

No Remarks From the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC/ew

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, CA 94103
558-4901

SEXUAL HARASSMENT AS AN EMPLOYMENT ISSUE

Sexual harassment has just recently been identified as a critical problem encountered by workers and students. Courts, governmental agencies and community groups are beginning to understand and discuss the scope and impact of sexual harassment. This information sheet discusses, very briefly, the phenomenon of sexual harassment and legal actions that have attempted to deal with the problems it creates.

Sexual harassment may be generally defined as unwanted and unreciprocated behavior, directed toward an employee by a supervisor or co-worker, that seeks a sexual response or favor. Needless to say, in the vast majority of cases it is female employees who are subjected to sexual harassment and risk reprisals in their employment situation when such overtures are rejected. However, there is an increasing number of reports of males also being subjected to sexual harassment. The offensive behavior may take many forms - for example, verbal abuse, offensive touching, invasive stares and explicit demands for sexual favors. It is not unusual for harassed workers who voice objection to such behavior or refuse sexual demands to be subjected to increased work loads, poor job evaluations, promotion denials, or actual loss of employment.

The major concern being confronted in this area is how to assure employees a working environment free from sexual harassment. One approach has been suits against employers alleging sex discrimination. Although employers have argued to the contrary, federal appelate courts have held sexual harassment constitutes sex discrimination in violation of Title VII of the Civil Rights Act of 1964. The California courts have not yet been called upon to determine whether it is also sex discrimination in violation of the Fair Employment Practices Act. However, the Fair Employment Practices Commission (FEPC) has been accepting and investigating complaints of sexual harassment. The FEPC has also drafted proposed regulations holding employers liable for conduct which:

a) requires the employee or any other person to perform sexual favors as a precondition of employment, retention of employment, or accrual of any other employment benefit;

b) demeans one sex or otherwise fails to promote a discrimination-free workplace.

Women bringing lawsuits on the ground of sexual harassment have encountered a number of obstacles. First, the question of whether an employer should be liable for acts of sexual harassment committed by an employee and of which the employer was not aware. This argument was presented to the Ninth Circuit in a recent case entitled Miller v. Bank of America. The Ninth Circuit held the company was liable for sexual harassment by a supervisory employee even though the company had a policy prohibiting such behavior.

Another problem that is likely to arise is a lack of witnesses to back up the worker's story. Generally, acts of sexual harassment are not done in front of others. Therefore, in a trial it will be the word of one employee versus another.

The third obstacle often encountered is that under current employment discrimination law the sexually-harassed worker must show that she/he suffered an adverse employment practice (demotion, unfair evaluation, etc.) as a result of her/his opposition to sexual harassment. There are really two problems here: 1) the psychological and emotional trauma experienced by the worker is not enough to afford relief in the courts; and 2) the worker has to prove demotion, poor job evaluation, etc., was caused by objections to sexual harassment and not the result of any legitimate, job-related matter.

Although court actions may be one approach for dealing with the problem, lawsuits alone will not guarantee working conditions free of sexual harassment. Approaches directed toward both educating employers as to the prevalence and nature of sexual harassment and eliciting some commitment for dealing with this problem within their work settings is greatly needed.

Adopted as a Position Paper
by the HRC 1/10/80.

1/15/80gm

Attachment #2

RESOLUTION SUPPORTING THE MARCH ON SACRAMENTO
URGING THE PASSAGE OF ASSEMBLY BILL 1.

WHEREAS, the Human Rights Commission is empowered by its Ordinance to protect persons in San Francisco from discrimination based on sexual orientation; and

WHEREAS, the HRC previously has endorsed California State Assembly Bill 1, introduced by Assemblyman Art Agnos; and

WHEREAS, on January 13, 1980 there will be a March on Sacramento for Lesbian and Gay Rights pertaining to the passage of Assembly Bill 1, now before the State Legislature;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission support the March on Sacramento for the encouragement of the passage of Assembly Bill 1, in order to establish statewide protection in California against discriminatory practices based on an individual's sexual orientation.

Resolution 1/80
Adopted by the HRC 1/10/80

Attachment #3

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, Calif. 94103
558 - 4901

Chief Cornelius Murphy
Hall of Justice
850 Bryant Street
San Francisco, California 94103

Dear Chief Murphy:

The Human Rights Commission commends you on your appointment as Chief of Police. Your listed priorities are a good omen for successful tenure as Chief of Police.

Among your priorities, the re-emphasis on the juvenile bureau is salutary to the concerns of HRC and, in particular, to its Youth and Education Committee. In line with this re-emphasis, the HRC respectfully requests that you fill the vacancies created by the promotion to inspectors of the eight officers currently assigned to the public schools.

Although the assignment of police officers to the comprehensive public high schools initially generated apprehension and some community opposition, the presence of police in the schools has proven to be very helpful to both the school and the community and has benefited the educational climate. This has been due, in very large measure, to the sensitivity of the eight officers who worked with the schools.

The Human Rights Commission recommends that those assigned to juvenile work, in whatever capacity they function, be prepared for understanding the problems of young people.

Thank you in advance for your favorable consideration of HRC's request.

Sincerely,

John C. Morrissey
Chairperson
Human Rights Commission

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Jan. 24, 1980

NEXT MEETING: Thursday,
Feb. 14, 1980
Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

COMMISSIONERS

Present: John C. Morrissey (presiding), Vernon Alley, Sister Bernadette Giles, Willie B. Kennedy, Phyllis Lyon, Caryl Mezey.

Excused: Lia Belli, Antonio Grafilo, Pius Lee, Joan Moulton, David Yamakawa.

- Director Mickins read in a full a letter of resignation from Commissioner Alvin I Fine to Mayor Dianne Feinstein on January 7, 1980. See Communications Section of these Minutes.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Linell Harden, Joe Meza, Lim Szeto, Gail Roberts, Lydia San Filippo, Mary Gin Starkweather, Essie Thomas.

Pledge of Allegiance

Minutes of the Meeting of January 10, 1980 approved.

COMMUNICATIONS

- From Commissioner Alvin I. Fine, a formal letter of resignation from the HRC to Mayor Dianne Feinstein dated January 7, 1980. Commissioner Fine is a charter member of the HRC, and was one of a group of civic leaders called together in 1964 under the administration of the late Mayor John F. Shelley to form an emergency Interim Committee. This Committee recommended the formation of the Human Rights Commission, which Commissioner Fine has served continuously since as a member. Commissioner Fine expressed his esteem for his fellow members, past and present, of the HRC and for its "dedicated staff."

- To Gilbert H. Boreman, Clerk of the Board of Supervisors, requesting a delay in scheduling a hearing on a series of proposed amendments to Chapter 12B and 12C of the City Administrative Code, sponsored by Supervisor Harry Britt in October of 1979, until the HRC Employment Committee has completed an analysis and review.

- From Commissioner Nadim Zarour, a copy of his letter to Harley R. Roff, Executive Deputy to the Mayor, submitting his resignation from the HRC, effective January 11, 1980.

STANDING COMMITTEES

EMPLOYMENT
Vernon Alley, Chairperson
Caryl Mezey, Co-Chairperson

- Proposed Amendments to the HRC's Ordinances by the Board Supervisors - Commissioner Alley.

The HRC has been informed that a number of amendments and wording changes have been proposed for Chapters 12B and 12C of the City Administrative Code. These are separate and apart from any changes the HRC's Ordinance Revision Committee has been studying. One proposal deals with two words: "recipient" and "handicapped." The proposal is to change the word "grantee" in all present ordinance references to "recipient." Also proposed is changing the word "disabled" (this is proposed by the Center for Independent Living in Berkeley, it is understood) to "handicapped." Also proposed is a detailed definition of the word "handicapped."

The HRC's Administrative Committee requested that Director Mickins write to the Governmental Services Committee of the Board of Supervisors to ask that any action on these proposed changes in the HRC's operative Administrative Code chapters (12B and 12C) be postponed until the HRC has had time to study them, along with any others that might be proposed by other groups. (See Communications section of these Minutes.)

Receipt of Director Mickin's letter to the Board of Supervisors on this matter was acknowledged in its January 21, 1980 Calendar of Matters. Copies of his letter were distributed to each member of the Governmental Services Committee (Supervisors Bardis, Kopp, and Renne).

The Employment Committee has studied, analyzed, and discussed these proposed changes in depth. A list of recommendations on this matter will be forwarded to the HRC's Administrative Committee for its consideration.

- Committee Recommendation Regarding Request for Establishment of an HRC Business Development Committee - Commissioner Alley.

In late 1979, the Black Business Association and Asian, Inc. proposed that the HRC establish, separate from the Employment Committee, a Business Development Committee to deal with minority business enterprise work. The feasibility of this request was reviewed by HRC staff and discussed at length in the Employment Committee.

The Employment Committee recommended:

1. That the HRC not establish a separate Business Development at this time.

2. That persons with business development expertise, especially as it relates to minority business enterprise work, be included as members of the Employment Committee.

3. That there be considered the feasibility of changing the name of the Employment Committee to Employment and Business Development Committee.

The Committee stated that it feels competent, confident, and sensitive in handling business development matters at this time, without an overwhelming increase in its workload.

It was then

*****m/s/c that the HRC adopt the report and recommendations.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- Report on Youth Services Division of the San Francisco Police Department - Commissioner Giles.

Lieutenant Henry M.Williams, Commander of the Police Department's Youth Services Division, was a guest at the January 17 meeting of the Committee. He said that the newly-appointed Chief, Cornelius Murphy, is recommending that priority be given in the department to the reduction and prevention of juvenile crime in the City. The Youth Services Division now has, under a reorganization, three main sections: Child Abuse, which deals with juveniles who have been abused by parents or guardians; the Missing Persons Section, which deals with runaway juvenile problems; and the Violent Crime Section, which handles those juveniles who have committed violent crimes, such as purse-snatching and strong-armed robbery.

The Youth Services Division, Lt. Williams said, offers a counseling service to parents, and can make referrals for children who need assistance, such as tutorial help.

Lt. Williams outlined in his presentation details of the various efforts taken to try to prevent juvenile crime, to handle juvenile offenders, and to utilize various resource agencies in the City in this work.

The Committee, at the HRC meeting of January 10, had reported on concerns in the community that eight police officers who have been assigned to the public high schools had reportedly been promoted in rank and would be transferred and not replaced. The HRC then approved a letter to Chief Murphy asking that they be replaced. It appears, Commissioner Giles said, that not all the eight have in fact been promoted. Coming as it did on the day following a tragic death by gunshot of a student at Woodrow Wilson High School on the school premises, the Committee's Jan. 17 meeting reiterated its members' wishes that the police officers be replaced.

The Committee has written again to the Chief of of Police, asking that a dialogue be initiated on school security with the Board of Education and the Superintendent of Schools, and that he retain the assignment of the eight police officers at public high schools until replacements can be trained.

- Commissioner Mezey commented that there had been considerable strong community resistance to the idea of assignment of police officers in the schools when it first come up some years ago, but now that their presence had proved to be a desirable, helpful, and protective one, there was considerable community resistance to their removal. This is, she said, an example of the image-building advantage of contact between police officers and the public.

Commissioner Giles said the Committee intends to monitor the retention efforts by the Police Department for the school officer program, which has been widely accepted.

DIRECTOR'S REPORT

- Establishment of Friends of the Human Rights Commission.

Articles of Incorporation have been filed by Attorney George Buffington on the HRC's behalf with the California Secretary of State's office. This would establish an organization called Friends of the Human Rights Commission, an idea which was first broached in 1978.

Five former HRC members who have been asked to serve the Friends of the HRC Board of Directors have responded affirmatively. They include Earl Raab, Judge Louis Garcia, Mattie J. Jackson, Dr. Zuretti Goosby, and Leonard Kingsley, plus present Commissioners Caryl Mezey and David Yamakawa. A planning meeting of this group will be held as soon as approval of its by-laws and its incorporation is completed.

- HRC's 1980-81 Budget.

The Mayor's Office has notified all City departments of projected maximum and minimum budget cuts to be required for the next fiscal year when a City budget deficit of as much as $117 million is possible, due to the reduction of State "bail-out" money which put off for one year the impact of Proposition 13 and the 60% property tax cut.

The HRC has been informed that it can expect a maximum 20% budget cut (from the present $317,000 annually, a reduction to approximately 80%) or a minimum 10% cut, or $40,000 less than $317,000. The Mayor's liaison with the HRC has told Mr. Mickins that the HRC must plan for at least the 10% cut. The HRC hopes to obtain an appointment soon to discuss its budget in more detail with the Mayor's Office.

Director Mickins said the HRC could lose as many as three permanent positions if the 20% budget cut were imposed, or one and one-half positions if the 10% cut were imposed.

- Funding to Monitor the Office of Revenue Sharing Agreement.

The federal Office of Revenue Sharing agreement with the City and County of San Francisco completed during 1979 named the HRC and the Civil Service Commission to participate in the affirmative action requirements of the agreement.

On January 11, 1980 the Mayor signed legislation from the Board of Supervisors granting $21,000 (for the remainder of fiscal 1979-80) to the HRC for one professional and one clerical support position to provide technical assistance and monitor the agreement. Frank Anderson of the HRC staff will be appointed to the professional position.

The ORS agreement extends through 1983.

- Human Relations Inter-Group Clearinghouse.

On August 1, 1979, Mayor Feinstein asked the HRC to convene a group of citizens to review and postulate a position on inter-group tensions involving ethnic and religious minorities in San Francisco, with particular emphasis at the time on the then-current series of confrontations between some Black and Jewish community members and groups. There had been tension between some Black community representatives and Jewish members of the Redevelopment Agency; there were Gay-Black tensions in the Western Addition and

the Haight-Ashbury districts regarding alleged displacement of Black families by Gay real estate buyers; and there had been renewed acts of vandalism against a Sunset District synagogue.

Mr. Mickins read in full at this meeting the text (attached to these Minutes) of his January 15, 1980 letter to Mayor Feinstein reporting on the findings of the group that came to be called the Human Relations Inter-Group Clearinghouse. This group held four meetings, through November 19, 1979, adopted a formal position statement (which also was read in full), and summarized its findings in a formal report, also submitted to the Mayor.

The Inter-Group Clearinghouse expanded its discussion and considerations beyond the Black-Jewish relations to include all ethnic or religious minority tensions.

It is expected, Director Mickins said, that within two months there will be set up a permanent Human Relations Inter-Group Clearinghouse group, satellite, to which the HRC will contribute staff support, and with community-wide representation. It is seen as a resource group that can be called upon by the Mayor whenever divisive issues arise that threaten communication and good will between ethnic and religious communities of the City.

Chairperson Morrissey asked what specific measures had been suggested by the study group to prevent the development of such divisive issues. Commissioner Giles responded that the group saw itself, and such groups as the HRC and the Council on Religion, Race, and Social Concerns, as catalysts for prevention measures, but that the Clearinghouse would, essentially, be a "fire-fighting" resource, to be called upon when inter-group tensions arise.

The Human Relations Inter-Group Clearinghouse Position Statement adopted and forwarded to Mayor Feinstein is attached to these Minutes. It pertains specifically to Black-Jewish community relations, and calls for more systematic communications between them, in order to identify common problems.

Director Mickins read the list of persons who participated in the Inter-Group Clearinghouse deliberations.

NEW MATTERS

There were no new matters.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, Feb. 14, 1980, at 9:00 A.M., in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment:	Thursday, February 21, 1980 9:30 A.M., Flood Building, 870 Market St., Room #675.
Gay Advisory:	Tuesday, February 5, 1980, Noon, 1095 Market St., Room #509.

Police

Housing and Urban Development:	To be announced.
Police Liaison/Social Issues:	Wednesday, February 6, 1980 2:00 P.M., HRC Offices, 1095 Market Street, Room #509.
Youth and Education:	Thursday, February 7, 1980 3:30 P.M., 1111 Buchanan St. Yerba Buena Senior Center entrance on Golden Gate, between Webster and Laguna Streets.

No Remarks from the Audience

Adjournment, to Executive Session with Deputy City Attorney Alice Barkley to report on her work on the HRC's litigation matters.

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC/ew

Attachment #1

January 15, 1980

Honorable Dianne Feinstein
Mayor
City and County of San Francisco
City Hall, Room 200
San Francisco, California 94102

Dear Mayor Feinstein:

On August 1,1979, you requested that the Human Rights Commission call together a group of citizens to review and postulate a position in an area of inter-group tensions involving religious and ethnic minorities in San Francisco.

Foremost in your mind at the time were instances of confrontation between some Black representatives and Jewish members of the Redevelopment Agency; Gay-Black tensions in the Western Addition/Haight Ashbury districts regarding Gay buyers of real estate contributing to the displacement of Black families; a similar complaint from some members within the Hispanic community; and a mood of anxiety created within sections of the Jewish community because of threats and acts of vandalism of a synagogue within the Sunset district.

The overall tenor of your concern was expressed in terms of "coming to grips with the general appearance of an increase in inter-group hostilities and manifestation of bigotry."

As you know, some three weeks after your request to the HRC for a review and report, the Andrew Young resignation exploded on the national scene, thereafter capturing numerous headlines and wide media coverage. Two news articles written in response to that issue are enclosed. They are: Director of the American Jewish Committee Bertram H. Gold's "Relationship Between Blacks (and) Jews," published in the San Francisco Examiner October 25, 1979; and Jewish Community Relations Council Executive Director Earl Raab's column article "Black-Jewish Talks," published in the San Francisco Jewish Bulletin August 31, 1979. We commend these articles to you as two examples of a balanced understanding and approach to the issues.

Enclosed and submitted herewith are the report and findings of the Human Relations Inter-Group Clearinghouse based on four in-depth meetings through November 19, 1979. We hope our newly-formed Human Relations Intergroup Clearinghouse will be a resource you will call upon when you identify divisive issues that threaten the goodwill of the ethnic and religious minority communities of San Francisco.

Thank you for giving us the opportunity to serve your office in this important matter.

Sincerely,

Grant S. Mickins
Director

GSM/ew
cc: Inter-Group Members

Enclosures:

Attachment #2

HUMAN RELATIONS INTER-GROUP CLEARINGHOUSE POSITION STATEMENT

The Black community and the Jewish community have a common historic enemy: bigotry. Millions of Blacks have been oppressed and killed in modern history because they were Black. Millions of Jews have been oppressed and killed in modern history because they were Jews. The name for that, in either case, is racism. The Nazis and the Ku Klux Klan (represents the more extreme of the hate syndrome) include both the Blacks and the Jews as the main targets of their bigotry. Both groups have been the targets of more subtle forms of discrimination and oppression.

Neither the Black community nor the Jewish community are monolithic. There are sometimes differences between sections of our populations. But because of our common stake in a certain kind of America, the mainstreams of our two communities have worked closely together in San Francisco , and will do so again.

In the course of our recent discussions we have agreed that our communities should establish more systematic communications in the future, in order to identify common problems, to discuss differences and to identify our common enterprise. That enterprise includes not just each other, but the wider community beyond ourselves.

January/1980

CITY AND COUNTY OF SAN FRANCISCO
Human Rights Commission
1095 Market Street, Suite 501
San Francisco, California 94103

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Feb. 14, 1980

NEXT MEETING: Thursday, Feb. 28, 1980
Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

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ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Vernon Alley, Lia Belli, Sister Bernadette Giles, Willie B. Kennedy, Pius Lee, Caryl Mezey, David Yamakawa.

Excused: Antonio Grafilo, Phyllis Lyon, Joan Zamora Moulton.

Staff

Present: Grant Mickins, Frank Anderson, Jack Casford, Joe Meza, Gail Roberts, Lydia San Filippo, Mary Gin Starkweather, Essie Thomas.

Also in attendance: Sandra Falabrino, student interne making an evaluation assessment of the nature and extent of past and current efforts of City government to recruit, hire, train, and promote minority employees.

Pledge of Allegiance

Minutes of the Meeting of January 24, 1980 approved.

COMMUNICATIONS

- From Monte R. Mansir, Assistant Division Manager, Personnel, Civil Service Commission, a copy of a letter to Richard Sklar, General Manager, Public Utilities Commission, asking that he include federally-funded positions in the PUC's Minority Business Enterprise Program in its 1980-81 budget.

- From Mayor Dianne Feinstein, a memorandum to all commissioners and department heads, pledging weekly meetings of department heads with herself and her senior staff.

Director Mickins said that the HRC has a representative at regular meetings of the Mayor's Management Council.

- From Roger Boas, Chief Administrative Officer, to all City and County departments, a memorandum regarding automobile liability insurance and vehicle accident reporting for City vehicles. The HRC has never had the use of a City vehicle.

- From Katherine Banks and Amalia Attruia-Hartwell, of the Friends of the Commission on the Status of Women, soliciting memberships and financial contributions for the Second Annual Fundraising Luncheon to be held during the week of March 24, 1980.

- From Cassandra Hagler, Unit Coordinator, San Francisco Neighborhood Legal Assistance Foundation, a form letter announcing planning for input to a planned Community Law Week, to be sponsored by the San Francisco Bar Association, in conjunction with KGO-TV the last week of June.

- From Donneter E. Lane, Executive Director, San Francisco Council of Churches, soliciting financial assistance in meeting unpaid costs of the 1980 Martin Luther King, Jr. Celebration in January, which the HRC co-sponsored.

- From the Clerk of the Board of Supervisors, a copy of a proposed City ordinance setting per diem expenses for City employees on official duties that require travel out of the City.

STANDING COMMITTEE

EMPLOYMENT

Vernon Alley, Chairperson
Caryl Mezey, Co-Chairperson

- Status Report on Financial Institutions-Mary Gin Starkweather, HRC Employment Compliance Specialist.

Currently, twenty-seven banks and eighteen savings and loan associations in San Francisco hold more than $154,600,000 in City funds on deposit. The HRC has worked for many years with financial institutions in the area of employment affirmative action. The financial, insurance, and real estate industry in San Francisco is a major employer. More than 8,300 new jobs have been added in the City since 1978 by them.

On July 30, 1979, the HRC adopted a set of criteria for measuring and evaluating the banks and savings and loan institutions which included definition of goals and a reporting procedure with a workforce questionnaire component. The Questionnaire on Recruitment, Hiring, and Training Practices was ent October 12, 1979, along with a copy of Chapter 12B of the City Administrative Code (the Nondiscrimination Ordinance), and other data. The deadline for return at that time was set for December 12, 1979.

Nine of the twenty-seven banks and four of the nineteen savings and loan associations returned the Questionnaire, most in advance of the December 12, 1979 deadline.

The California Bankers Clearing House Association then contacted the City Attorney's Office and informed it that it had legal objections to certain aspects of the program as adopted. For this reason, the City Attorney's Office asked that the HRC extend the deadline for submissions of the questionnaire to Feb. 15, 1980. This was done.

After discussion in a closed Executive Session with Alice S. Y. Barkley, Deputy City Attorney, the HRC on January 30, 1980, notified all financial institutions by memorandum that it had agreed to rescind the compliance guidelines adopted July 30, 1979 and to conduct a review of the criteria and other relevant data, inviting the banks and savings and loan associations to contribute their suggestions and input. The HRC also announced it will be planning discussions and a public hearing regarding the formulation of criteria for determing compliance with affirmative action laws. Both state and federal agencies will be asked to participate in the planning process.

Ms. Starkweather's Status Report at this HRC meeting also covered her complaint experience with banks (five reported) in 1979, stressing that staff prefers, wherever possible, to settle bank complains informally.

After Ms. Starkweather's Status Report, it was

*****m/s/c that the HRC rescind its Policy on Affirmative Action as it pertains to financial institutions adopted July 30, 1979, and that it, with staff, reconsider that Policy, with input from the financial institutions.

- Commissioner Lee asked for a copy of the July 30, 1979 policy.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Chairperson

- Presentation on Census Work Recruitment-Bayard Fong, Bureau of the Census.

This item was postponed to the HRC meeting of February 28, 1980.

YOUTH AND EDUCATION
Sister Bernadette Giles
Chairperson

Ms. Willie B. Kennedy
Co-Chairperson

- Committee Report-Commissioner Giles.

The Committee met last on February 7.

Special Education Program in the San Francisco Unified School District were discussed, with participation by the Committee guest, Hal Solin, Program Manager, SFUSD Special Programs and Services (these are programs for children who are physically or emotionally handicapped).

There is considerable federal funding available, but the compliance requirements (personnel, matching funds, etc.) for San Francisco and other cities are very high, as well. The dilemma is the decisions that have to be made about allocation of general enducation monies for the relatively small number of students who require these special programs. There are some 4,000 students in the SFUSD who qualify for this kind of funding. Funding must also be provided parents whose children's special needs can best be met by private educational institutions (100 such cases during the past school year in the District).

Ad Hoc Committee on Vandalism and Violence (of the SFUSD)

The Committee was represented at this January 28 meeting, where topics of discussion included District-funded programs to reduce violence and vandalism;discussion of drug and substance abuse programs in City high schools; and a review of the Youth Service and Narcotics Divisions of the San Francisco Police Department. School Board Commissioner Myra Kopf has invited members of the Youth & Education Committee to attend these discussions.

She shares the concerns of the HRC that Chief of Police Cornelius Murphy will restore uniformed patrolmen at the secondary high schools, an issue on which both the full HRC and the

Committee have written to his office, with no response to date.

There followed a wide-ranging discussion on special programs for handicapped children led off by Commissioner Yamakawa on the subject of United Nations definitions of the rights of children, and Commissioner Belli's comments on the pros and cons of "mainstreaming" handicapped children in the public schools, and the extra demands made on teachers' time and energies when handicapped children are "mainstreamed" into regular classes.

DIRECTOR'S REPORT

- Friends of the Human Rights Commission.

The Friends of the HRC has been incorporated with the Secretary of State as a nonprofit organization. Commissioner Mezey with the assistance of Gail Roberts of the HRC staff, is contacting prospective participants.

- Reception for Retiring Commissioner Fine.

Commissioner Alvin I. Fine, whose retirement after sixteen years (he is a Charter member) was announced in January, will be honored at a reception, which also will launch the Friends of the HRC, on:

- Monday, March 10, 1980, from 5 to 7:30 p.m., in the second-floor Green Room of the Veteran's Building at McAllister and Van Ness Avenue.

Donations at the door are $10.00 which includes a $5.00 general membership in the Friends, or $30.00, which includes a $25.00 sponsor's membership in the Friends. The membership fees are tax-deductible. For further information, interested parties may call Gail Roberts at 558-4901.

- HRC Budget for 1980-81.

The figures and cuts requested by the Mayor's Office were discussed in the HRC meeting of January 24, 1980. The HRC has been informed that it can expect a maximum 20% budget cut from the present $317,000 annually, or a minimum 10% cut (approximately $40,000) from $317,000.

Director Mickins will seek a meeting with the Mayor after discussion with the Administrative Committee to point out what a cut of 10% will mean to the HRC in terms of its ability to carry out its legal mandate. A cut of $40,000 could mean loss of one to one-and-a-half positions from the present twelve-person permanent (clerical and professional) staff.

Mr. Mickins also suggested that budget cuts should be considered from the standpoint of the difference in impact of a flat cut, say 10%, on a large department with a budget in the millions, and a small department, such as the HRC with approximately $300,000. The matter will be discussed in the Administrative Committee next week.

- Charter Commission Recommendations for the HRC.

On January 30, 1980, the San Francisco Chronicle printed the formal recommendations of the Charter Commission's proposed revision of the San Francisco City Charter. It included the proposed section dealing with the HRC and its makeup, and its powers and duties. There was no mention of the HRC's powers in employment affirmative action under Chapter 12B of the City Administrative Code.

Chairperson Morrissey earlier had asked that excerpts from these proposed revisions pertinent to the HRC be distributed to the membership for study and discussion at the Administrative Committee on those aspects particularly concerning the HRC.

*****Chairperson Morrissey asked Commissioners Nezey and Yamakawa in particular to analyze the Charter Commission revision recommendations. Commissioner Nazey pointed out that among the revisions was one changing the method of selecting the Director of the HRC, (with the HRC nominating but not, as now, appointing), and one changing the terms of the Commissioners from the present overlapping four-year status to making them concurrent with that of the mayor.

*****Consideration of these and other revisions as proposed by Charter Commission was referred to the Administrative Committee (with the input of Commissioners Nezey and Yamakawa) before it came before the full HRC.

- Commissioner Lee announced that Wilson Chang, Chairperson of the San Francisco Charter Revision Committee, had called a meeting in the Chinese community for consideration of the Charter Revision Committee's recommendations.

- Human Relations Inter-Group Clearinghouse.

This group had been reported on in full on January 24, 1980. As a separate but related part of the process, the Jewish Community Relations Council (JCRC) hosted a followup to several earlier meetings on Black-Jewish community relations, at a conference held February 13, 1980 at Congregation B'nai Eman on Taraval Street. Some 15 rabbis and 20 Black ministers attended for a discussion of doctrinal positions on religious and racial discrimination. This group wishes to be a component of the main Clearinghouse, which will be functioning permanently this Spring.

Mayor Feinstein unexpectedly attended and spoke at this February 13 meeting.

The HRC will be a participating member in the Black-Jewish group as well as the overall Inter-Group Clearinghouse.

NEW BUSINESS

*****Chairperson Morrissey and other Commissioners agreed to invite Mayor Dianne Feinstein to address the HRC at some future date. It has been the custom of the HRC to invite the Mayor, particularly one just taking office.

- Statement and Recommended City Policy Regarding the Use of Racial and Ethnic Slurs-Commissioner Lee.

Commissioner Lee read a prepared statement with a recommended policy regarding the use by City officials or employees of racial or ethnic slurs. The statement and recommendations grew out of the forced job transfer of City Registrar of Voters Thomas Kearney, under pressure from primarly the Chinese community, for his reported use of derogatory terms verbally and in public in 1979.

It was

*****m/s/c that the statement and recommended policy be referred to the Employment Committee.

Commissioner Mezey suggested that the policy be expanded to include a prohibition of derogatory comments about any group, including Gays and women.

- Public Appearances by Commissioners.

Commissioner Kennedy asked if there were any written policy regarding members of the HRC appearing on television or radio interview programs to discuss controversial issues.

She was told there was none. However, Commissioners agreed that as a matter of informal policy, when they do make appearances or public statements they are to be identified as a private citizen, as distinguished from officially representing HRC policy.

*****All Commissioners were urged to inform the Director and Jack Casford of the HRC staff if they schedule a public appearance.

- Committee Assignments.

Chairperson Morrissey asked each member to notify him of his or her willingness to continue a Committee assignment or any requests for assignments to a new Committee.

- The HRC will consider changing the designation Chairperson to Chair, and Vice-Chairperson, to Vice-Chair.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, Feb. 28, 1980, at 9:15 A.M., in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment:	Thursday, Feb. 21, 1980-9:30 a.m., Flood Bldg., 870 Market St. #675.
Gay Advisory:	Tuesday, March 4, 1980, Noon, 1095 Market St., Room 509-HRC Offices.
Housing & Urban Development:	To be announced.
Police Liaison/Social Issues:	Wed., March 5, 1980 - 3:00 p.m. (New time), HRC Offices, 1095 Market St., Room 509.
Youth & Education:	Thurs., Feb. 21, 1980 - 3:30 p.m., 1111 Buchanan St., Yerba Buena Senior Center (entrance on Golden Gate-between Webster & Laguna Sts.)

No Remarks from the Audience.

Adjournment.

Respectfully submitted,

Grant S. Nickins III
via Jack Casford

GSM/JC/ew

CITY AND COUNTY OF SAN FRANCISCO
Human Rights Commission of San Francisco
1095 Market Street, Suite 501
San Francisco, California 94103

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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of February 28, 1980

NEXT MEETING: Thursday,
March 13, 1980
Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Vernon Alley, Sister Bernadette Giles, Antonio Grafilo, Willie B. Kennedy Pius Lee, Phyllis Lyon, Caryl Mezey, Joan Moulton, David Yamakawa.

Excused: Lia Belli.

Staff

Present: Grant Hickins, Jack Casford, Joe Meza, Gail Roberts, Mary Gin Starkweather, David Treanor.

Pledge of Allegiance

Minutes of the Meeting of February 28, 1980 approved.

COMMUNICATIONS

- From James A. Carter, attorney for Williams & Burrows Inc. general contractors, a copy of a letter and accompanying material sent to George Agnost, City Attorney, for his review and analysis. The material was the decision of the United States Court of Appeals for the Ninth Circuit in AGC, (Associated General Contractors of California) et al., v. SFUSD, et al., in which the Court affirmed the decision of Judge Weigel holding that the minority contractor preference program adopted by the San Francisco Unified School District (SFUSD) was in violation of the California low-bid law. Mr. Carter wrote that the decision "...clearly invalidates various contractor preferences which have been adopted by the City and County of San Francisco..." He requested that Mr. Agnost issue an opinion advising "governmental entities which have adopted such preference programs..." of the decision's effect on potential liability.

Director Hickins said he had reviewed the decision.

Commissioner Mezey stated that the facts of the AGC suits were such that the decision should be read to apply to that suit only, and that they did not necessarily speak to the kinds of programs carried on by the HRC.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, transmitting the request of the Board of Supervisors (voted February 19) that the HRC conduct an investigation into the personnel policies and practices of the War Memorial Board of Trustees as a followup

to allegations that these policies do not conform to affirmative action guidelines.

Director Hickins reminded Commissioners that the HRC had been asked in November of 1979 by the Mayor, in response to an allegation by the Citizens Committee for the Reform of the San Francisco War Memorial Board of Trustees, to comment on the validity of a charge that the Board of Trustees failed to comply with requirements of Chapter 12B of the Administrative Code in its search for a permanent managing director of the (new) War Memorial Performing Arts Center. The Committee filed a separate complaint separately with the HRC. The HRC reported to the Mayor December 11, 1979 that the Board failed to follow the requirements of Chapter 12B.1 (to attach Chapter 12B to all contract bid applications), but that there is no penalty set forth in Chapter 12B for failure to do so. However, the HRC report added that failure to include Chapter 12B.1 represents a serious harm to the rights of those protected classes whom the ordinance was designed to protect.

Two motions pertinent to the War Memorial Board of Trustees (changing member appointments to district representation, and defunding the Board pending adoption of an affirmative action program) were debated by the Board of Supervisors February 25, but tabled, which led to the request for the HRC investigation. Director Hickins said he has had preliminary discussions with Mrs. Thelma Shelley, Assistant Managing Director and Executive Secretary of the War Memorial department.

- From Toby Levine, Chairperson, Housing Sub-Committee, Mayor's Office of Community Development, informing the HRC that Ms. Toni Kaplanis of the OCD staff with a team of two members of the Citizen's Committee on Community Development will conduct a review and evaluation of the progress made during the 1979 program year. Included were seven questions to be answered in writing (numbers of contracts monitored; how many did not meet the criteria of affirmative action and followup; what appeal procedure for ineligible contractors, etc.). The HRC has been funded from OCD since late 1978 for fiscal 1979 for a project monitoring community development contractors. In addition, the HRC has a $40,000 OCD grant for fiscal 1979 to investigate housing discrimination complaints.

- From Samuel Wright, President, and Everett Brandon, Chairman, Labor and Industry Committee, National Association for the Advancement of Colored People, San Francisco Branch, a letter expressing concern regarding minority participation in the proposed City plan to establish a new San Francisco International Airport authority under joint San Mateo-San Francisco county jurisdiction. The NAACP proposes that the HRC bring together civil rights and other minority organizations to recommend affirmative action provisions in the proposed Airport reorganization plan.

- From Mr. Brandon of the NAACP, inviting Mr. Hickins to attend the February meeting of the Labor and Industry Committee to discuss the above request regarding the proposed joint operation of the Airport and its potential impact on minorities. Mr. Hickins did attend that meeting and explained the status of the HRC affirmative action program City-wide. He assured the NAACP that staff has already begun work on setting up a minority organization meeting regarding the proposed Airport plan and affirmative action in employment. Some members of the Board of Supervisors have expressed interest in participating in such a group. He noted that the enabling legislation to set up such a joint tenancy operation of the Airport has been postponed to the November, 1980 election ballot.

- From Robert C. Sanchez, President, 24th Street Merchants Association, asking to meet with the HRC to discuss minority business promotion in the Raza Hispanic business sector.

DIRECTOR'S REPORT

- Complaints Caseload Report for 1979-Jack Casford

The Human Rights Commission's 1979 internal reorganization, whereby it set up two main operating arms---the Office of Dispute Resolution and the Office of Contract Compliance-----is reflected in its compilation of complaints handled by staff for the year.

While there was a substantial decrease in the total number of 1979 complaints (727) as compared to those for the previous year, 1978 (1,040), there was a substantial increase in the numbers of complaints that became full-scale investigative cases leading to rulings, Director's findings, and other types of resolution.

The overall decrease also was attributed to the significant drop in the total number of Gay rights complaint cases reported (1979: 74; 1978: 330), attributable to the effectiveness of both statuatory protections for the rights of Gay citizens, and to the wider range of advocacy agencies and organizations for them.

The breakdown by general category for 1979 was:

Employment	295
Housing	195
Gay Rights	74
Education	20
Other (personal problems; conflicts with public agencies; many forms of alleged discrimination; emotional and/or mental disturbances, etc.)	143
	727

With increased emphasis on its mandate to monitor and implement affirmative action by City contractors, the HRC found the field of Employment grew more than any other category during 1979.

The Employment category covers, as always, a wide range of staff actions, from more or less routine counseling and referral for an individual, to the bringing of formal charges of noncompliance against major firms with large City contracts.

One senior staff member who has many years of experience in Civil Service complaints tallied 192 such cases during 1979, up 32 % over 145 in 1978. He reported a continued decrease in pre-employment complaints, but an increasing number of in-service complaints by City employees regarding promotion, transfer, discipline, working conditions, etc. The fewer pre-employment complaints were due to (1) limited hiring by the Civil Service Commission during 1979, and (2) increased involvement and awareness of community-based referral agencies with the Civil Service system. Class action complaints also are developing into what he calls a "noticeable trend." Three general problem areas in the Civil Service system which continue to be critical concern to the HRC are:

1. Persons discouraged from applying for City jobs because of fear of failure, historical group exclusion, lack of faith, or negative experience with government in general.

2. Persons excluded by artifical barriers at the pre-employment stage.

3. Persons already in the Civil Service system who allege unfair treatment in assignment, promotion, lateral mobility, or in other related employment matters.

Housing, as one of San Francisco's most critical urban problems marked by skyrocketing rents, massive condominium conversions, and unavailability-at-any-price, naturally is always a cause of anxiety. The HRC has, for all its history, been a resource to try to deal with housing complaints. Ironically, even with the past two years of change, wherein the Mayor's Citizen Assistance Center, 1979's Residential Rent Stabilization & Arbitration Board, and other agencies began handling housing complaints, the HRC's Housing Representative still handled 187 cases during 1979, one more than 1978's 186. This was extraordinary because of the afore-mentioned new resources for these problems. Evictions and rent increases and discrimination charges because of race, or blindness, or marital status, or children in the family dominated the cases.

It must be stressed that complaints are handled by all professional staff (twelve reported cases during 1979) in addition to their full workload implementing the City's affirmative action requirements.

All staff, including clerical support personnel who handle in-take and screening before professionals, take complaints, provide basic information and referral, and often can help assuage frustrations and temporary anger by calm discussions by telephone or in person. The frustration level tends to be very high, because people are often referred from one place to another, depending on the time, patience, and personnel availability of the place contacted. The HRC always makes it a policy to listen, to advise, and to be honest about telling what its jurisdiction does not include and what it cannot do. For example, many people believe it has a staff of attorneys who handle individual legal cases. Not so, but it calls for great tact and patience and skill to convince an angry, aggrieved person who wants an attorney--and RIGHT NOW!---of that. In the eleven years since 1969, the HRC has handled 10,600 complaint cases, for an average per year caseload of 963. The smallest annual total was 1969's 625, and the largest was the 1,182 figure reported in 1977. As stated at the outset, though there may be a numerical decrease for the first time in five years, jurisdictional restrictions and the greater emphasis on affirmative action coupled with the growing complexity of noncompliance cases are increasing the staff responsibility. But the HRC is proud that it continues to be considered a major resource for individuals with problems and grievances in this community.

There was subsequent discussion about the kinds of complaints that come into the HRC office about the HRC itself. To a direct inquiry on this point from Chairperson Morrissey, Mr. Casford and Director Mickins said that jurisdictional and staffing restrictions that preclude providing, for example, individual legal representation, etc., do cause sometimes strong criticism from the public, which expects the HRC to have a generalized service. Every effort is made to refer complainants to other agency sources with some power to act on their behalf or to give expert counseling in a particular area.

Mr. Casford stressed that HRC staff stresses being patient and explaining thoroughly what can or cannot be done and avoiding giving no-hope responses even though the complaint may be far beyond our jurisdiction.

Director Mickins notes the increasing numbers of direct referrals for official HRC investigation of complex disputes from

the Mayor's Office and the Board of Supervisors. He noted that there are reports that a member of the Board is preparing to introduce legislation that would place complaints now handled by the Civil Service Commission to the HRC. Only if adequate staff could be provided, he said, could the HRC concur with this.

STANDING COMMITTEES

ADMINISTRATIVE
Willie B. Kennedy, Chairperson

- Recommendations Affecting HRC Role and Responsibilities in the City Charter from the Charter Revision Committee.

Chairperson Morrissey in January had circulated to the HRC excerpts from the Proposed Charter of the City and County of San Francisco as published in the local press for study and review.

At the Administrative Committee, Commissioners Mezey and Yamakawa, who had been asked by the Chair at the HRC meeting of February 14 to make a study in detail of the Charter Revision Committee recommendations and how the proposed Charter would change the HRC structure and responsibilities; gave their analysis. They pointed out:

1. That the recommended preamble on equal opportunity did not include the HRC-recommended (October 11, 1979) Bill of Rights.

2. That the terms "citizen" and "resident" were used interchangeably in the Committee recommendations, and that the language should state that the Charter assures the rights of all "persons", to avoid discriminating between residents and citizens.

The Administrative Committee recommended that:

1. The HRC oppose the proposed provision which recommends that four-year terms for all HRC Commissioners run concurrently with the Mayor's term. Presently, Commissioners serve four-year overlapping, or "staggered" terms, in order to lend continuity and maintain policy control.

2. That the Charter Commission be made aware of an ambiguity in its provision regarding limiting members of Commissions to serving no more than two terms, and the need for clarification of the powers of the Mayor in appointing the HRC Director, nominated by the HRC.

3. That the Charter Commission be reminded that the powers of the HRC under Chapter 12B of the City Administrative Code are not mentioned specifically in the revision proposal, and that the language authorizing this function is very broad with the proper enactments from the Board of Supervisors.

4. That the HRC Chair appoint a Commissioner to attend the March 6, 1980 public hearing of the Charter Commission to present these recommendations.

After brief discussion, it was

******m/s/c that the HRC adopt the recommendations of the Administrative Committee regarding the proposed Charter.

- Chairperson Morrissey appointed Commissioner Yamakawa to present the HRC recommendations at the Charter Revision Committee public hearing March 6, 1980.

- Review, Discussion, and Recommendation in re: HRC Projected 1980-81 Budget. - Director Mickins.

All the members were provided copies of the 1980-81 Proposed HRC Budget. The Mayor's Office has asked certain City departments to submit two budgets: one at 80% of the present base funding, and one at 90% of the present base funding. HRC Office Manager David Treanor was present at this meeting with the breakdown on each of the two levels. Using the City's formula for making these reduced budget requests, he reported that of the present budget level of $421,796, a budget of 80% of this amount would total $353,982, and a budget of 90% of this amount would total $338,061. His breakdown was in three general categories: Fixed costs such as rent, and services from other departments; Personnel/fringe benefits; and Other Costs, including auditing fees, equipment mantinance, phones, postage, office machine rental, materials and supplies, etc.

Presently there are fourteen designated (fulltime, permanent, Civil Service) professional and clerical positions in the HRC budget. One position has not been funded since Proposition 13 passed in 1978. At a 90% level, a second permanent position (Class 2996, Representative) will be defunded, leaving a total staff of twelve. At 80% funding level, the HRC could lose three permanent positions.

It was

******m/s/c, on Administrative Committee recommendation, to seek a meeting with the Mayor before budget allocations are finalized to present the following position statement.

Any budget reduction resulting in diminution or staff loss at the HRC is always disproportionate to other City services because of the already-decimated staff and the broadening responsibilities placed upon the HRC. The HRC, therefore, urges the Mayor to use her best effort to maintain the current level of funding for the HRC in 1980-81, if at all possible.

However, the HRC fully appreciates the City's current fiscal condition, and, in accordance with instructions, has prepared two budget documents reflecting a based funding of 80% and 90% of the 1979-80 fiscal year. Assuming no improvement in the City;s current fiscal status, the HRC strongly urges, in the alternative, that the Mayor support funding at the minimum 90% of the present budget's level.

And it was

******m/s/c that the HRC approve the projected two-level 1980-81 budget levels as described.

- Co-Sponsoring of Affirmative Action Seminar.

The HRC would co-sponsor a seminar on Affirmative Action in City-Funded Projects in conjunction with the San Francisco Redevelopment Agency. The seminar would be primarily for managers and staffs of community-based outreach organizations in the field.

It was

******m/s/c that the HRC co-sponsor such a seminar with the San Francisco Redevelopment Agency.

- Composition of the Gay Advisory Committee.

The Gay Advisory Committee currently is restricted to three members by the enabling ordinance creating it. The Administrative Committee will continue discussion on seeking an increase in composition.

- State Labor Code Sections 1431 and 1432.

The controversy over claims that these new sections serve to partly pre-empt the HRC's jurisdiction in compliance and employment aspects of affirmative action continues as a point of discussion. The Director will consult with legal advisors and friends of the HRC before a definite approach/position is decided.

- Changes in Chapter 12A and Chapter 12B of the City Administrative Code.

The Committee will forward the changes in Chapter 12A (approved during 1979 by the HRC) and will forward them to the Board of Supervisors.

It was agreed that the proposed changes in Chapter 12B be postponed until the City Attorney's office advises what effects these changes could or would have on pending appellate litigation in the case of Alioto Fish Co. et al, vs. the HRC. This is an appeal by the HRC to a 1977 judicial ruling that the HRC is preempted by the state in the area of employment nondiscrimination with leasees (but not contractors).

EMPLOYMENT

Vernon Alley, Chairperson
Caryl Mezey, Co-Chairperson

- Proposed HRC Guidelines Regarding the Use of Arrest and Conviction Records in the Employment and Personnel Review Process of City Contractors and Subcontractors. - Ms. Penny Nakatsu.

Ms. Nakatsu was introduced by Mary Gin Starkweather, HRC staff for a subcommittee of the Employment Committee to study ex-offender policy. Serving with Ms. Nakatsu on this subcommittee to produce an expanded HRC Policy on Arrest, Conviction and Military Records and Their Use by Employers were Barbara Tompson, of the Mission Hiring Hall; Glen Seaburg, of Pacific Telephone Personnel Department; Tim Mossteller, Senior Placement Coordinator, Standard Oil Company of California; and Lavon H. Gieselman, Diversion Specialist, California AFL-CIO Program for Offender Career Placement & Diversion, Inc. The original HRC policy was adopted February 27, 1975. The subcommittee produced a document of guidelines to be used in conjunction with the 1975 Policy. Ms. Nakatsu paid tribute to their valuable contributions and hard work and to the assistance of Frank Anderson and Mary Gin Starkweather of the HRC staff and for the Employment Committee.

A detailed discussion of the 10-page Guidelines document followed.

They set forth standards for the review and use of arrest and conviction records and are applicable to all City contractors and subcontractors. They also contain standards for the application of the HRC policy's job-relatedness and rehabilitation standards in the utilization of criminal records.

They are divided into four categories, or sections:

Section I sets forth categories of criminal records which may not be inquired into or considered at all by any employers under existing law;

Section II discusses additional categories of criminal conviction records into which the Commission strongly recommends that the employers not inquire or consider as a potentially disqualifying factor in the personnel process;

Section III contains standards for the ascertainment of the extent to which a conviction may be job-related and the manner in which a job-related conviction should be reviewed in the employment process. It also contains standards for the review of rehabilitation and other mitigating circumstances which should be considered in the review of job-related convictions;

Section IV contains recommendations for particular policies and practices which can be implemented by contractors as a means of carrying out the provisions of these guidelines;

Section V contains definitions of certain terms used; diversion, conviction, expungement, certificate of rehabilitation and pardon.

Ms. Nakatsu indicated the extent of the need for policy guidelines in the use of arrest records by stating that in 1970 in California there were an estimated 100,000 persons with felony records, not including the much greater number of persons with misdemeanor convictions, or arrest/detention records. Since the preponderance of these tend to be minorities, chiefly Black and Chicanos, she said it created a particularly pernicious discriminatory pattern. The unemployment statistics overall in the state, as of August 7, 1979, she said, stood at 7.2% of the working population, but for ex-offenders the percentage was 23.5 or more than three times the general figure. On the state level alone (not including federal) 27% of all persons on parole were unemployed.

Ms. Nakatsu said that an as-yet unpublished Coro Foundation survey of private employers (a cross-section study as to size and type of business) indicates that there remains a great deal of employer skepticism and that the practice of discrimination against ex-offender job applicants continues.

Asked by Chairperson Morrissey to pinpoint what parts of the Guidelines recommended took up most of the subcommittee discussion, Ms. Nakatsu said all items were discussed and analyzed in depth. She then went through the Sections one by one, stating why they had been proposed. For example, Section I is recommended because of the felt need that employers must be reminded of the legal obligations that presently exist in the hiring of ex-offenders.

Commissioner Yamakawa, saying that he had not read the proposed Guidelines in detail, referred to two sentences (in one paragraph defining Expungement) of Section V. Definition of the Terms Diversion, Conviction, Expungement, Certificate of Rehabilitation and Pardon, which he said were inaccurate because of a change in state law. On his motion, it was

***** m/s/c that the HRC adopt the HRC Guidelines Regarding the Use of Arrest and Conviction Records in the Employment and Personnel Review Process of City Contractors and Subcontractors in principle with the priviso that the statements of law (referred to by Commissioner Yamakawa) contained in Section V. C. of the document be re-checked before it is disseminated.

Ms. Nakatsu later did check out these statements and found that the state law did not apply and they remained as the subcommittee had written them.

- Commissioner Hezey expressed high praise and commendation of Ms. Nakatsu and her colleagues of the subcommittee for their long work in studying this issue and producing the Guidelines. Her praise was echoed by Commissioner Alley.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Chairperson

- Presentation on Census Work Recruitment--Bayard Fong, Bureau of the Census.
Mr. Fong was unable to make this presentation.

- Working Paper on School-Community Patrol Officers.

This document has been sent to all Committee members for study and will be discussed at its March 5 meeting. Commissioner Moulton worked on the draft of this document and introduced it at the February Committee meeting. The Youth & Education Committee already has written twice to Police Chief Murphy urging retention of uniformed police officers currently assigned to public high schools in the City.

Commissioner Moulton stressed the strong feelings in the community about the necessity for this program for school security, and described her participation in meetings at school sites with parents, students, and with both Chief of Police Cornelius Murphy and School Superintendent Robert Alioto. She stressed that uniformed police assigned to school security must be chosen with particular emphasis on their special qualifications and sensitivity to dealing with young people in law enforcement.

Commissioner Giles then read in full a letter received February 8 from Chief Murphy in response to the Youth & Education and HRC letters urging the retention of the police/school security force. Chief Murphy wrote that the officers have been replaced by personnel at district stations assigned to school patrol cars, to be manned on a priority basis on all days that schools are in session.

From the letter:

"We believe the function of the school patrol car can best serve the interests of the community as the officers involved will have the ability to deal with school problems as they are related to other youth problems in the district."

"However, should it become necessary to post one or more uniformed officers in a particular school, we shall do so with the concurrence of the on-site administrator."

- Active Committee Participation.

Commissioner Moulton was asked by the Chair to let him know her nominations for new Committee membership if she had suggestions in order to increase the participation in its work.

- Meeting at Community Mental Health Services.

Jack Casford sat in as an observer representing the HRC at a meeting February 25 in the office of Steven Estrine, Director of Community Mental Health Services. The topic was the patients' informed consent issue on which the HRC had acted December 28, 1979 with passage of a Resolution Urging Protection of Patients' Rights in San Francisco City and County Mental Health Services Facilities. Mr. Casford will speak with the Deputy Director of CMHS at a later date. The meeting appeared to obtain a pledge from Dr. Estrine to his department's implementation within a few months of a basic informed consent form and policy.

YOUTH & EDUCATION
Sister Bernadette Giles, Chairperson
Willie B. Kennedy, Co-Chairperson

- Committee Report.

Proposed Resolution/Request to Have Uniformed Police Officers in High Schools, offered by Board of Education Commissioner Bill Maher. This was read in full, and requests that the Mayor and Chief Murphy provide on-site police presence in the high schools of the District. This proposed resolution, however, was tabled at the last Board of Education meeting because of Commissioner Maher's illness.

- Commissioner Giles also read in full a letter written February 25, 1980 to Commissioner Maher, the President of the Board of Education, in reaction in his proposed Resolution that would call for expulsion of students found to be in possession of weapons. The Committee wrote that it was unable to formulate a supportive statement to his proposal because it lacked knowledge of the intent of the expulsion recommendation.

It posed three questions to him:

1. Are you proposing a change in the present student discipline policy by substituting mandatory expulsion for mandatory suspension ?

2. Will the decision to expel be made by site administrators or will the present policy of expulsion by the governing board of the district continue to operate ?

3. Will your proposal effect a final, irrevocable expulsion of a student from the SFUSD, or will the procedures for expulsion and reinstatement of expelled students outlined in district policy be followed ?

The Committee requested that Commissioner Maher delay calling for a vote from the Board so that "...greater community participation will result in better community understanding and acceptance of a policy to expel students who are a menace to themselves and to others on school property."

Commissioner Maher has been invited to the Youth and Education Committee to its next meeting March 6. At that time they also will discuss Commissioners Maher's proposed Resolution that the Board of Education "wil support any reasonable legislation at the City, state or federal level that restricts the possession of handguns."

NEW MATTERS

- Resolution of Commendation, Salutation, and Gratitude to Commissioner Alvin I. Fine.

This Resolution, with additions and/or changes from several Commissioners was read in full.

It was

*****m/s/c that the Resolution of Commendation, Salutation, and Gratitude to Commissioner Alvin I. Fine be adopted (with additions and/or changes from Commissioner Giles)and presented formally to him.

He will be honored March 10 at a reception from 5 to 7:30 P.M. in the Green Room of the Veteran's Building on Van Ness Ave. on the occasion of his retirement after sixteen years' service. This reception will also be the kickoff meeting of the Friends of the Human Rights Commission.

The full text of this Resolution is attached to these Minutes.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, March 13, 1980 at 9:15 A.M. sharp in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, March 6, 1980, 9:30 A.M. Flood Building, 870 Market Street #675
Gay Advisory	Tuesday, March 4, 1980, Noon HRC Offices, 1095 Market Street #509
Housing & Urban Development	To be announced.
Police Liaison/Social Issues	Wednesday, March 5, 1980, 5:00 P.M. HRC Offices, 1095 Market Street #509
Youth & Education	Thursday, March 6, 1980, 3:30 P.M. Yerba Buena Senior Center 1111 Buchanan Street Entrance on Golden Gate Ave., approx. midway between Webster and Laguna Sts.

NO REMARKS FROM THE AUDIENCE

Adjournment

Respectfully submitted

Grant S. Hickins
via Jack Casford

GSH/JC/ew

HUMAN RIGHTS COMMISSION
OF THE
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION OF COMMENDATION, SALUTATION, AND GRATITUDE TO
COMMISSIONER ALVIN I. FINE

WHEREAS, Commissioner Alvin I. Fine, a charter member of the Human Rights Commission and its last link to its beginnings in 1963, has announced his resignation from the Commission; and

WHEREAS, Alvin I. Fine was a pioneer and pivotal figure in the founding, nurturing, and maturing of the Human Rights Commission; and

WHEREAS, Alvin I. Fine was among the fifteen leaders of the community called by the late Mayor John F. Shelley to a Mayor's Human Relations Interim Committee in March of 1964 to "assist in laying a firm foundation for the permanent assurance of equal opportunity and all other civil rights to minority groups in our community"; and

WHEREAS, Alvin I. Fine as a regular member of the permanent Human Rights Commission of the City and County of San Francisco moved into the vital leadership position which he maintained faithfully and imaginatively for sixteen years; and

WHEREAS, Alvin I. Fine has given generously and creatively of his time, his intelligence, his keen perception, and his experience in building the foundations on which the Human Rights Commission has been able to fulfill its promise, meet its challenges, and bring about meaningful social change;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission and its staff, past and present, salute with everlasting gratitude Alvin I. Fine for his openness of spirit, his astute judgment, and his loyalty to the ideals of the commission; and

BE IT FURTHER RESOLVED, that his name be ever honored for his unique and exemplary service to the goals of equality of opportunity for all people; and

FINALLY, BE IT RESOLVED that the Human Rights Commission and staff, in spite of their regret and sense of loss on his retirement, wish Alvin I. Fine Godspeed as he enters a new phase of his extraordinary life which he has, with grace and eloquence, shared with us during his tenure on the Commission.

Resolution 2-80
Adopted by the HRC 2/28/80

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 MARKET STREET, SUITE 501
SAN FRANCISCO, CALIFORNIA 94103

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of March 13, 1980

DOCUMENTS DEPT.

MAR 27 1980

SAN FRANCISCO PUBLIC LIBRARY

NEXT MEETING: Thursday, March 27, 1980
9:15 A.M.
Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding); Vernon Alley, Lia Belli, Antonio Grafilo, Willie B. Kennedy, Pius Lee Phyllis Lyon, Caryl Mezey, David Yamakawa.

Excused: Joan Zamora Moulton.

Staff

Present: Grant Mickins, Jack Casford, Lloyd Cowan, Don Hesse, Stanley Lim, Joe Meza, Gail Roberts, Essie Thomas.

Pledge of Allegiance

Minutes of the Meeting of February 28, 1980 approved.

COMMUNICATIONS

- From R. V. Romero, Regional Director, United States Department of Commerce, Minority Business Development Agency, San Francisco Regional Office, advising that a decision on the HRC's application for funding a minority vendor development program jointly with the City Purchaser's Office would be postponed at least until the end of the 1980 fiscal year (ending September 30) pending further notice from the Washington office. Director Mickins said the HRC and the Mayor's Office have received substantial numbers of inquiries about the City's failure thus far to have a on-going business participation (in City Contracts) program.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, a memorandum enclosing the annual Statement of Economic Interests for Designated Employees forms. These were distributed to each Commissioner to be filled in and submitted to Jack Casford of the HRC staff by April 30, 1980. This requirement is under the Conflict of Interest Codes.

- From Roger Boas, Chief Administrative Officer, a copy of the Wastewater Program's 1979 Affirmative Action Report sent to Mayor Feinstein and the members of the Board of Supervisors on March 7, 1980. This is an annual report, and includes figures on participation by women. Director Mickins said the program was an "extraordinary" one, with minority participation averaging exceptionally high. Mr. Boas' report refers to the reports by the HRC during calendar 1979 on construction workforces, minority and women-owned consultant firm activity, and an agreement for specific annual goals for minority business enterprises as well as for ethnic minority and female hiring signed with the HRC by the Wastewater program construction manager joint venture of Deleuw-Greeley-Hyman.

- From Supervisor Don Horanzy, informing that he would be unable to attend the kickoff reception/benefit for the Friends of the Human Rights Commission March 10. See below.

DIRECTOR'S REPORT

- HRC Budget for Fiscal 1980-81.

The budget has been submitted by the HRC to the Mayor's Office as requested and as discussed in detail at the HRC's regular meeting of February 28, 1980. The HRC still hopes to be able to meet with the Mayor to discuss its budgetary needs in order to carry out its mandate. Director Mickins said the liaison worker in the Mayor's Office for the HRC had requested an HRC budget projection estimate to keep operating with the current staff strength.

- Reception in Honor of Commissioner Fine/Kickoff for the Friends of the Human Rights Commission.

On Monday, March 10 from 5 to 7:30 P.M. Commissioner Alvin I. Fine, who has resigned after sixteen years on the HRC (he is a charter member), was honored at a reception at the Veteran's Memorial Building. The evening also was the kickoff event in establishing a nonprofit organization, the Friends of the Human Rights Commission.

Approximately 125 former Commissioners, former staff, and members of civic, religious, business, and labor groups and governmental agencies attended and became sponsor/members of the Friends. ******On the initiative of Commissioner Giles, the serving Commissioners expressed formal thanks to Commissioner Caryl Mezey, Gail Roberts, Jack Casford, and David Treanor of the HRC staff for their work on the event. There was a bountiful buffet, most of it prepared by Commissioner Mezey, who, with Ms. Roberts and Commissioner Giles, also decorated the Green Room with flowers. Former Commissioner Earl Raab acted as master of ceremonies, and there were many commendation plaques from not only the HRC, but from the State Assembly, State Senate, and the Office of the Mayor and the Board of Supervisors.

STANDING COMMITTEES

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Willie B. Kennedy, Co-Chairperson

- Proposal by Board of Education President Maher via Resolution for Expulsion (of students in public schools) for Possession of Deadly Weapons - Commissioner Giles.

This proposal was discussed at the HRC meeting of February 28, after a letter had been sent February 25 to Mr. Maher by the Committee. It asked three specific questions about his proposed resolution. Mr. Maher attended the Committee meeting March 6 for a lengthy discussion of the subject.

The questions and Mr. Maher's answers:

1. Are you proposing a change in the present student discipline policy by substituting mandatory expulsion for mandatory suspension?

   Yes.

2. Will the decision to expel be made by site administrators or will the present policy of expulsion by the governing board of the District continue to operate?

   The governing board of the District would continue to have the power of expulsion.

3. Will your proposal effect a final, irrevocable expulsion of a student from the SFUSD, or will the procedures for expulsion and reinstatement of expelled students outlined in District policy be enforced?
   The expulsion could be reconsidered at the end of the year and reinstatement could take place.

The proposed Maher resolution has been before the Board's Ad Hoc Committee on Violence and Vandalism. It was learned after this meeting that discussion of the Resolution is scheduled tentatively for full Board of Education discussion March 25.

The Committee, said Commissioner Giles, while not reaching a formal endorsement-or-opposition position on the proposed Maher resolution, would, if it were to come on a Board agenda (see above), have two recommendations:

1. That the term "deadly weapon" be defined as it is at present defined in the Penal Code of the State of California.

2. That the procedures prior to and following the mandatory expulsion be clearly spelled out so that the rights both of the District and of the student be guaranteed. The procedures already provided for in the SFUD Discipline Policy already in force would seem, the Committee feels, to be an appropriate model should a new mandatory expulsion policy be adopted by the Board/District.

Commissioner Giles responded to a number of questions and a number of Commissioners had comments on the issues of students with weapons, school violence, and means of dealing with it by the District.

Commissioner Morrissey asked whether Mr. Maher defined the relationship of his proposed expulsion policy to what the Commissioner felt was the legal obligation of the individual to become educated in this country. Commissioner Giles said Mr. Maher's position on this question has not been made clear. She said her opinion was that it was the right of the individual to be educated and the obligation of society to provide the education.

Commissioner Belli said she felt that the HRC's stance on this issue would weigh very heavily on community opinion. She said that safety and security of the majority of students was an important factor in any consideration of an individual's anti-social behavior. She expressed support for a strict definition of deadly weapons.

Commissioner Lyon noted that there already are laws in several jurisdictions about the possession of deadly weapons. Commissioner Giles said state law already provides that a student found in possession of a deadly weapon must be suspended immediately, but Mr. Maher would extend this to expulsion, the distinction being the period of time, e.g., suspension is for a limited, usually short period of time. Commissioner Giles said in addition that expulsion had been very rarely used in recent years in the SFUSD.

There were several comments, including one from Commissioner Lee, on the issue of what happens to the student expelled. Would that student be put back on the streets; would the student be cut off from any further education; would there be an alternative class or study program, etc.?

Commissioner Grafilo spoke on the dilemma of today's conditions when some students may carry weapons for "self-protection" en route to and from school. He said the problem was society-wide.

Commissioner Mezey said that Mr. Maher had expressed the view that the society was responsible for youth behavior, and that the schools could not be used just to keep young people off the streets, but aimed primarily at educating them.

Commissioner Belli urged that the HRC work with the Board of Education to help it adopt a resolution that would address the problem of student possession of weapons and the climate of violence.

Commissioner Giles stated that at present there are some 2,500 young people tallied as school dropouts, i.e., long-term truants, 16 or younger, who have never returned to school.

GAY ADVISORY
Phyllis Lyon, Chairperson

-- Community Meeting on Violence -- Lloyd Cowan, HRC staff.

Anti-gay violence has been the subject of continuous discussion by the Committee for the past several years. In the Fall of 1977 the Committee worked with the San Francisco Study Center on an unreported violent crimes survey in order to document and validate for law-enforcement sources the claims of violence against Gay persons. During 1979 the GAC members have met with the Police Department, the Mayor, members of the Board of Supervisors, and community organizations to call attention to the survey's findings and to determine remedies for decreasing the intensity and frequency of these attacks. An organization called Community United Against Violence has been successful in its whistle campaign (several thousand small whistles to carry have been sold at $1), self-defense classes for men and women, and its classes in instruction on earning certification to carry mace.

Despite the increasing public awareness through the above and other measures, and despite some deterrence of would-be attackers, Mr. Cowan said, the numbers of attacks are on the rise.

The GAC is, therefore, calling a meeting for Saturday, March 15, at 150 Eureka (the Metropolitan Community Church) from 10 A.M. to noon. Twenty-seven organizations have been invited to exchange information, identify community resources, and plan further means to significantly reduce anti-gay violence.

Participants will include representatives of Supervisor Britt's office, Community United Against Violence, Victim Witness Assistance program, the Coalition for Police Accountability, Project SAFE (a neighborhood citizen-protection/participation project), etc.

It is hoped, Commissioner Lyon said, to increase the knowledge of community resources so a network of action and community can be established.

EMPLOYMENT
Vernon Alley, Chairperson
Caryl Mezey, Co-Chairperson

- Committee Report - Commissioner Alley.

The Employment Committee is being re-organized. Vicky Rathbone will now staff the Committee; Frank Anderson will have other

staff duties as HRC Representative.

- Commissioner Alley expressed the thanks of the Committee membership for the valuable services of Mr. Anderson.

1. HRC Guidelines Regarding the Use of Arrest and Conviction Records in the Employment and Personnel Review Process of City Contractors and Sub-contractors.

This document, which was adopted by the HRC February 28, 1980, required some clarification and re-wording in Section V.C. Expungement. With the deletion of the clause "upon completion of probation", that section was adopted.

2. Affirmative Action Report on the Southeast Plant-Contract P (part of the Wastewater program).

This discussion's complexity required that it be continued to a special Employment Committee meeting set for Thursday, March 20 at 9:30 A.M. in Room 509 at the HRC offices.

3. Proposed Policy Statement and Recommended City Policy Regarding the Use of Racial and Ethnic Slurs by City Officials and Employees.

This proposed statement and recommended policy also will be acted upon at the special Employment Committee meeting March 20. The issue was referred to the Committee by the HRC on the initiative of Commissioners Pius Lee and Caryl Hezey. There was discussion at this meeting of the HRC about possibly expanding the proposed policy to include sexual bias remarks and others.

Director Hickins said the goal was to have a Civil Service Commission adopt such a policy, and issue it to all City agencies. The American Civil Liberties Union may be asked to advise on the legal limits that may be involved.

1. The Report on Design Consultants-Employment, and on Minority and Women-Owned Business Participation in Design Consultant Work will be made at the Committee meeting April 3.

NEW MATTERS

- Committee Assignments:

Chairperson Morrissey announced the following Committee Assignments:

1. Employment Committee:	Commissioner Yamakawa, Chairperson. Commissioner Alley, Co-Chairperson. Commissioner Grafilo, Member.
2. Gay Advisory:	Commissioner Lyon, Chairperson.
3. Housing and Urban Development:	Commissioner Lee, Chairperson. Commissioner Hezey, Co-Chairperson.
4. Police Liaison/Social Issues:	Commissioner Moulton, Chairperson. Commissioner Belli, Member. Commissioner Lyon, Member.
5. Youth & Education:	Commissioner Giles, Chairperson. Commissioner Kennedy, Co-Chairperson.

STANDING COMMITTEES

Employment:	Thursday, April 3, 1980, 9:30 A.M. Flood Building, 870 Market St. Suite #509
Gay Advisory:	Tuesday, April 1, 1980, Noon HRC Offices,1095 Market St. #509
Housing & Urban Development:	Tuesday, March 25, 1980, 2:00 P.M. HRC Offices, 1095 Market St. #509
Police Liaison/Social Issues:	Wednesday, April 2, 1980, 3:00 P.M. HRC Offices, 1095 Market St. #509
Youth & Education:	Thursday, March 20, 1980, 3:30 P.M. Yerba Buena Senior Center 1111 Buchanan Street Entrance on Golden Gate Ave. (approximately midway between Webster & Laguna Streets).

No Remarks from the Audience.

Adjournment.

Respectfully Submitted,

Grant S. Mickins
via Jack Casford

GSM/JC/ew

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of March 27, 1980

NEXT MEETINGS: Thursday,
9:15 A.M. April 10, 1980
Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: John Morrissey (presiding), Sister Bernadette Giles Willie B. Kennedy, Pius Lee, Phyllis Lyon, Joan Zamora Moulton, David Yamakawa.

Excused: Vernon Alley, Lia Belli, Antonio Grafilo, Caryl Mezey.

Staff

Present: Grant Mickins, Jack Casford, Linell Harden, Stanley Lim, Joe Meza, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Essie Thomas.

Pledge of Allegiance

Minutes of the Meeting of March 13, 1980, corrected to show Commissioner Giles was present, then approved.

COMMUNICATIONS

- From Supervisor Carol Ruth Silver, expressing regret that she was out of the City and unable to attend the reception in honor of Commissioner Alvin I. Fine on March 10.

- From Borden Olive, staff for the Los Angeles Commission on Human Relations (Executive Director Carl E. Martin) a fact sheet of means of building support for Assembly Bill 2597 which has been introduced by Assemblywoman Gwen Moore. It is similar to a bill defeated in the last Session which would provide some state support for local human relations activities.

- From Edward R. Gerber, State Representative, Office of the Mayor, a form asking specific HRC positions on various aspects of Assembly Bill 2597.

- From Herman Gallegos, Chairman of the Board, U.S. Human Resources Corporation, asking that Director Mickins nominate an individual for the 1980 San Francisco Foundation Award.

- To Chief of Police Cornelius P. Murphy, from Commissioner Moulton as Chairperson of the Police Liaison/Social Issues Committee, requesting a meeting with him to discuss mutual concerns

- It was announced that the meeting with Chief Murphy wil be Monday, April 7, at 3 P.M. in the Chief's offices at the Hall of Justice, 850 Bryant Street, Room 525.

- From Eugene S. Hopp, M.D., member of the Board of Education, acknowledging the HRC's letter (through Commissioner Giles, Chairperson of the Youth & Education Committee) concerning proposed resolutions regarding lethal weapons and automatic expulsions.

- From Roger Boas, Chief Administrative Officer, informing that his office has approved the HRC request for budget support ($28,893) for a contract compliance officer and necessary support for affirmative action monitoring of Moscone Convention Center activities for 1980.

DIRECTOR'S REPORT

- Budget for Fiscal 1980-81.

A tentative plan to schedule a meeting with the Mayor regarding the HRC request had to be postponed when she went to Washington. The Director hopes to have such a meeting in the near future, however.

STANDING COMMITTEES

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson
Willie B. Kennedy, Co-Chairperson

- Educational Standards and Graduation Requirements-Zackery Taylor, Curriculum Specialist, San Francisco Unified School District.

Mr. Taylor had met with the Youth & Education Committee earlier (March 20) to discuss the legal requirements for proficiency standards for public school students.

Mr. Taylor said he is a teacher specialist, working for the past several years on setting up standards for promotions throughout the school levels.

In January, 1977 there became effective in California Assembly Bill 3408 (Chapter 856, Statues of 1976), which was enacted in Sept. 1976. This legislation required high school districts and unified school districts to (1) establish district proficiency standards in reading comprehension, writing, and computation; and (2) assess, on a prescribed basis, the performance of students in grades seven through twelve. The districts, Mr. Taylor said, are allowed to establish their own standards and develop their own instruments for testing.

San Francisco started developing these kinds of standards before the state legislation was passed. Mr. Taylor, formerly head of the mathematics department at Woodrow Wilson High School, has worked in this field for six years. The committee to implement standards on which he served eventually decided that testing should occur at several points during a school tenure (third, fifth, and seventh grades) so that students could be made aware of standards that had to be met before they neared graduation and then learned of their deficiencies.

Mr. Taylor said he had urged that the District not use commercially produced tests which are standardized for application to populations quite dissimilar from San Francisco's multi-ethnic, multi-cultural nature.

Mr. Taylor has worked with a group of classroom teachers to develop a series of tests on basic skills. Parents also have contributed to the committee's work in identifying essential skills/proficiency

that students should acquire before promotion or graduation.

Third grade tests for promotion have been administered since 1977. The fifth grade tests began in 1979. There will be tests also for the seventh grade, and the state mandates tests also for the high school levels.

Presently, Mr. Taylor said, about 25% of the students do not pass the basic skills tests, a fact that indicates that they would, if promoted to the next higher grade at the end of term, have a very difficult time keeping up. Tests are given first in February. Those who did not pass at that time are re-tested in May. With the extra help of work materials given parents to use with their children, and with the help of teachers and para-professionals, 95% of the classes pass the proficiency/basic skills tests by the second testing in May. Less than 1% of the children, he said, are not promoted and required to repeat a grade as a result of these examinations.

The District provides summer school instruction for any children who did not pass in May. The test requirement can be waived for limited English-speaking students and for Special Education students.

At the high schools in the City, four tests are given. They may be taken at any time, beginning in the ninth grade. Once the students have passed, they have established their proficiency in basic skills in reading, writing, and mathematics. In this District, a student has several opportunities (5 or 6) to take these proficiency tests; the state mandates only that they be given the tests twice. A computerized scoring system in the District allows analysis to develop needed programs and curriculum. It also provides each parent with information on how their children (10th and 11th graders) did last year in the tests. 75% of the students passed the reading tests in the 11th grade last Spring.

The passing standard is getting 75% of the questions correct. This initiated some Commissioner discussion about performance levels.

Tutoring centers are operating in all high schools (funded for $50,000 by the Bank of America, Mr. Taylor said) at night, after regular school hours, with teacher supervision and instruction to students seeking to pass the proficiency/basic skills tests.

The state will fund summer schools especially for students who have not passed proficiency/basic skills tests.

The District offers regular curriculum courses in fundamentals of English and mathematics which provide instruction in those things that are required to pass these tests.

There followed a discussion about employer expectations of work performance and work habits and what can be expected of high school graduates. The experience/dilemma of entry-level workers who resist regular hours and work schedules, and who are expected to have all calculations exact and correct, rather than only 75% of them, was recounted by Chairperson Morrissey.

Mr. Taylor said that the schools can only require a minimum level of compentency in basic skills. He made a strong plea for some rigidity of structure in school curricula and requirements in order to focus on the basic skills that are needed in a student's future work and personal life.

EMPLOYMENT

David K. Yamakawa Jr. - Chairperson
Vernon Alley - Co-Chairperson

- Recommended Policy Against Use of Racial and Ethnic Slurs.

This issue was brought to the HRC (and referred to the Employment Committee) by Commissioner Lee, following wide publicity given to the forced resignation of a City official for allegedly making verbal slurs against Chinese people.

The American Civil Liberties Union was asked to present its stance on such a recommended policy to the Employment Committee. Since its discussion is not yet complete, this item was postponed to the next HRC meeting, April 10.

- Affirmative Action Report on the Southeast Plan-Contract "P" - Stanley Lim, HRC Contract Compliance Supervisor.

This report was prepared with the assistance of Linell Harden, the HRC Contract Compliance Specialist who works as Mr. Lim's colleague. The report covers the period October 1 through December 31, 1979, and pertains to the Southeast Water Pollution Control Plant Contract "P" which is a massive undertaking involving a total of $114 million from mainly federal, but also state and local sources. Project completion is set for 1982. The report includes an eight-page narrative report supported by several statistical tables.

The report examines by contractor and by craft the status of compliance with the 1970 Memorandum of Agreement, the key affirmative action plan for the project, instituted, with HRC help, between the Associated General Contractors, the Building Trades Council, and the Bayview-Hunters Point Model Neighborhood Agency. That Agreement, which expired November 25, 1978 and still has not been reinstated, sets forth a Bayview-Hunters Point residency employment goal of no less than 50% by craft, regardless of the worker's ethnicity or sex. The Bayview-Hunters Point neighborhood is defined as being north of the county line, east of the Bayshore Freeway, west of the Bay shoreline, and south of Army Street.

Even though the Agreement is currently not active, Contract "P" still comes under its affirmative action terms for recruiting, hiring, promoting, and reporting workforce figures because it was awarded three months before the expiration date in 1978.

Mr. Lim pointed out that in addition to the Memorandum of Agreement, the affirmative action policies of both the federal and state governments technically do apply to Contract "P", but in actuality the only working affirmative action program has been the Memorandum of Agreement.

The extent of Minority Business Enterprise participation in this project was first reported to the HRC January 24, 1979. It showed an unprecedented $21 million in contracts, or 19% of the total, had been awarded to minority-owned firms.

Mr. Lim's written report, summarized by him at this meeting, includes an analysis of residency employment, supported by tables showing comparative figures for the reporting figures by sixteen trade classifications, and by seventeen contractors. Under a Joint Venture (three firms) prime contractor, some 120 subcontractors, among then 30 minority subcontractors or suppliers, are involved in this project. It is estimated that by the end of 1980 or early 1981 when construction reaches its peak, there may be 800 to 900 workers at the site.

For the October 1 - December 31, 1979 reporting period, the average number of workers per month was about 420, with the prime contractor and some fifteen subcontractors working.

Among nonmechanical (roofer, painter, cement mason, laborer) trades, the worker percentage ranged from 42% to 77% during the reporting period. Among mechanical trades (operating engineers, pile drivers, plumbers, pipe fitters, etc.), the range was zero to 100%. But from the sixteen trades all told, the overall residency employment was only 30%, said Mr. Lim. Only a few trades were in compliance with the 50% residency employment goal.

Among the seventeen contractors and subcontractors, residency participation ranged in the three-month period from zero to 82%.

Since 1972, there has been a stedy decline in resident participation, the report shows. In 1972, this figure for all crafts (trades) was 49.5%. It hit a low of 16% in 1978. In 1979, it rose again, but only to 30%.

Among minority employers, however, minority worker participation (residency) was between 60 and 65%. Those employers are included in the overall contractor list of seventeen.

Five complaints have been filed with the HRC regarding Contract "P" contractors. These are in addition to, and followups on, six warning notices, which are sent by HRC staff prior to filing of a complaint. Two of the formal complaints have been for noncompliance, and three for discrimination. Mr. Lim said that, in view of the complexity of the project, more complaints probably will be filed before completion, projected for 1982.

In a five-year evaluation of contracts in Bayview-Hunters Point in 1975 made by Mr. Lim, he noted the major problems in enforcing and implementing compliance. In this report he concentrated on four:

1. Failure to indenture new resident apprentices. The Memorandum of Agreement allows a contractor to recruit residents who meet the apprenticeship requirements with union approval, and indenture them as apprentices, when there are insufficent journeymen available.

2. Failure to utilize experienced resident workers through evaluation.
The evaluation process refers to a committee set up to judge a worker's level of competence. This permits qualified journeymen workers without union standing, or those nonjourneymen who may have prior construction experience, to become full-fledged union members.

3. Poor retention of residents as employees. Rapid turnover in recent months has played a role in decreased participation figures. The explanation for the increased numbers of workers leaving the job for reasons other than termination as yet have not been determined, said Mr. Lim. He emphasized a number of times that accurate, reliable, specific statistical information on the nature and extent of employment and unemployment in the Bayview-Hunters Point area is not tallied by any government or private agency.

Mr. Lim also charged that temporary layoffs of residents are stretched out by employers to become permanent in some cases. Some of these layoffs are being investigated.

4. Competition for resident workers. Other government-funded projects are under way in the Bayview-Hunters Point area (the San Francisco Housing Authority and the Redevelopment Agency), and some workers are choosing them in preference for the type of work (residential and commercial construction in contrast to heavy engineering work at the Southeast Plant).

Mr. Lim said the average time on the job is two months for some Bayview-Hunters Point residents.

But overriding all these problems, Mr. Lim said, is the fact that the main participants in the 1970 Memorandum of Agreement (the Building Trades Council, the Associated General Contractors, and the Bayview-Hunters Points Model Neighborhood Agency) have not yet effected or re-established the plan whereby residency employment was part of the affirmative action commitment for the area.

In response to an inquiry from Chairperson Morrissey, Mr. Lim explained that the residency requirement component grew out of the United States Housing and Urban Development Department's City Demonstration Agency Letter No. 11 in 1970 which urged that all cities with Model City agencies encourage residency employment. This was when the Bayview-Hunters Point Model Neighborhood Agency and the Mission Model Neighborhood Agency were set up. The key words, said Mr. Lim, in the federal directive were that "...maximum opportunities for employment of residents...of the area (Model Cities) in all phases of the program..."

Mr. Lim then went over in detail four basic recommendations that were part of his report. They have no legal authority, Commissioner Yamakawa pointed out, but the HRC hopes that the parties involved in the old Memorandum of Agreement will follow them. The four recommendations are:

1. Signing of a new Memorandum of Agreement. That the HRC encourages the parties involved in the old Agreement, or their successor/s, to reach a new Memorandum of Agreement, embodying the same principles as those contained in the expired document.

2. Counseling to Improve Retention. That, in order to retain the employment of residents, especially newly-hired apprentices, contractors work with the Bayview-Hunters Point Affirmative Action Program staff on a continuous basis for counseling and other services before lay-off or termination takes place.

3. Establishment of a Pre-Apprenticeship Training Program. That the HRC establish a task force to work with the community, contractors, and the unions to develop (through indentureship and/or training) apprenticeship slots in unions in which residents, minorities, and women are under-represented.

4. Creation of a Pool of Eligible Residents. That the contracting parties create a pool of available residents for employment and for union membership by the "evaluation" process, as provided in the Memorandum of Agreement. There are many experienced workers in the community who may have had no formal training but can be "evaluated" individually according to skills possessed or level of competence to meet the specific needs of the contractors. Once employed, these workers should become union members.

After discussion and some minor re-wording, it was

******m/s/c that the HRC adopt these recommendations.

- Chairperson Morrissey authorized the chairperson of the Employment Committee to set up the task force referred to in Recommendation 3. relative to developing of a pre-apprenticeship training program.

Commissioner Yamakawa said that more active support is needed from the Bayview-Hunters Point community for effecting a new Memorandum of Agreement.

Commissioner Giles asked if there were any demographic change figures, or evidence of a decline in population, or evidence of upward mobility and changes in job goals in the Bayview-Hunters Point community that would explain Mr. Lim's reporting of a steady decline in residency job participation. He told her that this information did not, to his knowledge, exist at the present time. It is verified,

however, in conversation with Bayview residents, that the young people who have grown to maturity since the 1970 Memorandum of Agreement was signed, are finding work as scarce as their fathers before them.

Commissioner Moulton said that "community" is the key word in effecting a new Memorandum of Agreement, and she urged what she called "extensive field work" towards this end.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Request to Co-Host Reception for National Gay Task Force.

On motion of Commissioner Lyon, it was

*****m/s/c that the HRC authorize the Gay Advisory Committee to co-host a reception in honor of Lucia Valeska, Co-Executive Director of the National Gay Task Force, with the San Francisco Women's Center and the National Gay Task Force, on Friday, April 25, 1980, in the Conference Room of Building A at Fort Mason Center, from 5 to 8 P.M.

HOUSING AND URBAN DEVELOPMENT
Pius S. C. Lee, Chairperson

- Committee Report. Tenderloin Housing Survey.

The Committee recently made an on-site survey of open space in the Tenderloin area of the City. It is felt that much alleviation of the lack of housing stock could be obtained by utilizing open spaces in this area, especially since height restrictions differ substantially from the 40-foot limits near the water. Commissioner Lee said in some areas of the Tenderloin 320-foot heights would be permitted. He reported that an architect-member of the HUD committee will make a report on how many housing units could be provided in the Tenderloin.

- Proposed Resolution in Support of Acquisition of Churchhill Street Site for Park.

Commissioners were provided copies of this document, accompanied by two fact sheets from the Committee for Better Parks and Recreation Facilities in Chinatown, which says it grew out of an ad hoc committee that opposed a parking garage on the Chinese playground in 1960.

Commissioner Lee said this committee has been studying possible park sites in the Chinatown area for five years, and in particular a site on Churchill Street (across from the Central Police Station). There have been objections from local businessmen that the park would remove what is now a parking facility, leased from the site owner. Thus the community, he said, is willing to make an underground garage with a street-level park. Commissioner Lee said that Proposition J in 1974 had specified the use of tax funds for fifteen years for the renovation and upgrading of City parks as well as for acquisition of property for public open space.

Commissioner Lee asked that the HRC pass the proposed Resolution as evidence of its support of the idea of the park.

There was extensive Commissioner questioning about the proposed park project and Resolution. Commissioner Lee said, in answer to some of these questions, that the site owner, a private individual, presently leases the site to a businessman operating a parking lot; that the price to be asked for the site is not known; that the site presently is not for sale; that details of financing the park versus financing for the underground parking garage have not been studied as

yet; and that the proposed Resolution of support pertains only to the Churchill Street site.

After further expressions of concern from members of the HRC, it was

*****m/s/c that the HRC postpone action on the proposed Resolution until it had more details from staff about the Churchill Street site park/parking project.

NEW MATTERS

- Thanks from Commissioner Fine.

Rabbi Fine, who resigned from the HRC after sixteen years of service, and who was honored at a reception March 10 by the HRC and staff, has telephoned Chairperson Morrissey, Director Mickins, and others on the staff to express his gratitude for this gesture of tribute and affection to him.

- Item in Herb Caen Column of March 25, 1980, Relative to HRC Position on Proposed Resolution on Expulsion of Students carrying Dangerous Weapons.

The HRC's discussions, both at the level of the Youth & Education Committee and before the full HRC, are reported in its Minutes of March 13, 1980, and February 28, 1980.

***** It was agreed that Commissioner Giles would work to clarify with Jack Casford by drafting a Letter to the Editor of the San Francisco Chronicle setting forth the full particulars and background of the HRC's concerns over school violence and the Resolution that was proposed by Board of Education President Bill Maher, and adopted by the Board March 25.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, April 10, 1980, in the Third Floor Commission Room of the Main Library in the Civic Center at 9:15 A.M. sharp.

STANDING COMMITTEES

Employment	Thursday, April 3, 1980, 9:30 A.M. Flood Building, 870 Market St. Rm. #675.
Gay Advisory	Tuesday, April 1, 1980, Noon HRC Offices, 1095 Market St., Rm. #509.
Housing & Urban Development	To be announced.
Police Liaison/Social Issues	Wednesday, April 5, 1980, 3:00 P.M. HRC Offices, 1095 Market St., Rm. #509.
Youth & Education	Thursday, April 17, 1980, 3:30 P.M. Yerba Buena Senior Center, 1111 Buchanan Street, Entrance on Golden Gate Ave. Approx. midway between Webster & Laguna Streets.

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III

HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, April 10, 1980

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* NEXT MEETING: Thursday *
* 9:15 A.M. April 24, 1980 *
* Main Library, Civic Center *
* Commission Room, Third Floor *
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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

DOCUMENTS DEPT.
APR 28 1980
SAN FRANCISCO
PUBLIC LIBRARY

ROLL CALL

Commissioners

Present: John Morrissey (presiding), Vernon Alley, Lia Belli, Antonio Grafilo, Willie B. Kennedy, Pius Lee, Phyllis Lyon, Caryl Mezey, Joan Moulton, David Yamakawa.

Excused: Sister Mary Bernadette Giles.

Staff

Present: Grant Mickins, Jack Casford, Lloyd Cowan, Don Hesse, Stanley Lim, Joseph Meza, Vicky Rathbone, Gail Roberts, Essie Thomas.

Pledge of Allegiance

Minutes of March 27, 1980 changed, per request from the Chief Administrative Officer's Office:: Page 4, Paragraph 1, under Recommended Policy Against Use of Racial and Ethnic Slurs, reading "This issue was brought to the HRC (and referred to the Employment Committee) by Commissioner Lee, following wide publicity given to the forced resignation of a City official for allegedly making verbal slurs against Chinese people." This sentence was changed to read, "This issue was brought to the HRC (and referred to the Employment Committee) by Commissioner Lee, following wide publicity given to the voluntary transfer of one City official and the voluntary resignation of another regarding allegedly making verbal slurs against Chinese people."

The Minutes were then approved as written.

COMMUNICATIONS

- From Jane Asselin, Chairman, Delinquency Prevention Coordination Council, announcing a May 1 meeting of all appointees and alternates to the Coordinating Council for a report on the Council's progress towards its goal of a coordinated system of services to youth. Commissioner Morrissey presently (or his appointee) is HRC representative on this Council.

- From Gerald W. Johnson, President, Black Business Association, a copy of a letter to H. P. Prudhomme, President, Pacific Gas Transmission Company, establishing criteria for Minority Business Enterprise (MBE) participation in construction of the Alaska Pipeline.

- From Steven H. Herman, representing North Point Pier, Inc.'s law firm Rudy, Rapoport and Holden, and responding to a certified letter sent April 2nd by Director Mickins.

Mr. Herman said he had been in trial in Sacramento for the last several weeks. Responding "in an informal way" to the HRC's proposal (for settlement), he said five of the points, while in line with what was discussed in 1979, would have to be further discussed as to details of the plan and its language. He said would make himself available for further discussions.

Director Mickins will report to the HRC at its April 24th meeting on further efforts to resolve the issue with North Point Pier, Inc.

- From Edward J. Lanzilla, Principal Property Manager, Airports Commission, accepting the HRC's offer of assistance of technical services.

DIRECTOR'S REPORT

- HRC Budget.

The Mayor's Office is not granting any departmental requisitions to fill positions in City departments. Some 1,000 such requests from departments currently fall in this category.

The HRC wishes to fill two positions: Human Relations Representative-Housing; and Human Relations Representative-Employment. They have been filled, respectively, by Don Hesse and Frank Anderson. Mr. Hesse is to direct the HRC's Fair Housing (complaint) Program (under Office of Community Development funding), and Mr. Anderson is monitoring all City departments for their compliance with the terms of a consent decree with the Office of Revenue Sharing requiring employment affirmative action commitments. He had been handling all HRC work with complaints of employment discrimination against the Civil Service Commission and liaison with the CSC on other matters.

It is feared that the HRC, under the 90%-of-1979-budget constraint, will not be able to budget for the Human Relations Representative-Housing position.

Assembly Bill 2597.

This measure, introduced by Assemblywoman Gwen Moore of Los Angeles, has the same purpose as Senate Bill 705, which was introduced unsuccessfully in the 1979 Session of the Legislature: to provide state encouragement and matching funds for local human relations/rights commissions. The HRC has endorsed SB 705.

Director Mickins, at the invitation of representatives of HRCs in Los Angeles, Orange County, and Santa Clara County, met with legislators in Sacramento April 8th to urge their support of the bill, and also to voice the San Francisco HRC's concerns with SB 705:

1. That the bill be amended to include a nonpre-emption clause pertaining to local governmental functions; and

2. That language be included to assure that state funding does not serve in substitution of local governmental funding heretofore provided.

The HRC on May 24, 1979, when it voted endorsement of SB 705, also had asked for a statement of intent from its sponsor, Senator Alan Sieroty, that the bill does not aim at limiting or deleting any powers any existing commissions possess.

Director Mickins said that AB 2597 represents a re-introduction of SB 705 and that the HRC's concerns noted above were considered. After addressing the concerns of the Gay Community and the State Commission on the Status of Women, AB 2597 was passed by the Committee on Local Government and will be forwarded the Committee on Ways and Means.

Noting that in the wake of Proposition 13, many counties and other entities in California had lost their human rights commissions, Director Mickins said AB 2597 could mean a significant assist to local activity, chiefly through providing matching funding on the basis of 7 cents per resident. This could mean approximately $50,000 to San Francisco, he said.

STANDING COMMITTEES

EMPLOYMENT
David Yamakawa, Chairperson
Vernon Alley, Co-Chairperson

- Proposed Policy Against Use of Racial and Ethnic Slurs.

The Employment Committee continues its study of this proposed policy statement. The American Civil Liberties Union had been asked to study and comment on the document, and had informed the Committee that it did have a concern regarding an aspect of constitutional protections for free speech. The Committee is in the process of re-drafting the proposed Policy. It will be considered at its May 1st meeting and brought to the HRC with a recommendation May 8th.

- Report on Design Consultants and Affirmative Action in Employment - Vicky Rathbone, HRC Contract Compliance Officer.

A seven-page narrative and statistical written report (much of which is reprinted below) accompanied Ms. Rathbone's verbal description of the work she does with planning and design consultants (structural engineers, mechanical/electrical engineers, soils engineers, sanitary engineers, architects, environmental scientists, urban planners, public participation experts, landscape architects, economists, construction management experts, archeologists, photographers, and printing firms) hired by the City for the pre-construction phases of three major construction projects. These are:

1. The Wastewater Program: Sixteen major consultants working primarily on the design of three sewage treatment plants, the ocean outfall, a pump station, and the Crosstown Tunnel, representing $27 million in design fees over the past three years.

2. San Francisco International Airport: Fourteen major consultants remodeling the Central, South, and North terminals and parking garage, with $17 million in design fees over the past three years.

3. George Moscone Convention Center: (formerly known as the Yerba Buena Convention Center): Eight major consultants representing $11 million in design fees over the past three years.

During 1980, the remodeling of the Ferry Building and the development of a new garbage disposal system for the City will get under way, both of which will be substantial and expensive projects. As well as these large-scale public works, there are always many smaller projects. At the present time, the City has hired consultants for the following jobs:

1. Mission Armory. A study to decide on its future.
2. Knudson Bloom Park. Development.
3. McLaren Park. Landscaping and development.

Ms. Rathbone described the HRC's affirmative action programs with the consultants on the first group of three projects.

Seletion Process

The HRC memorandum outlining affirmative action guidelines and an employment questionnaire for design firms go out with each Request for Proposal (RFP), to be returned completed as part of the total proposal. Staff is responsible for evaluating the submitted material and supplying the final selection committee with affirmative action "ratings." The most important things looked for are:

1) The percentage of minorities and women at all levels of the workforce.
2) The number of minorities and women who will be working on the project for which the proposal is being submitted and whether they are in management roles.

3) The commitment to provide training opportunities to minorities and women during the term of the contract.

If a firm has a "zero" on all of those points, the HRC indicates that their selection as a City consultant is unacceptable unless changes can be negotiated. In other cases conditional approval is given, provided minor adjustments can be agreed upon. The HRC strongly recommends selection of those firms with a positive affirmative action record and commitment in relation to the project. The selection firm is then required to develop an acceptable affirmative action agreement through negotiation with HRC staff. These agreements include:

1. General statements of nondiscrimination in accordance with Chapter 12.B.
2. Agreement to disclose names of all sub-contractors and to inform sub-contractors of their obligation to comply with Chapter 12.B.

3. Expand recruitment efforts by using minority and female referral services and news media on a regular basis.

4. Specific goals for filling vacant job positions with minorities and women through hiring, training or promotion.

5. Agreement to utilize existing training programs and establish other training measures, on a yearly basis.

6. Reporting requirements during the term of agreement.

In order to reduce paper work, the reporting requirement is limited to twice a year. This gives ample time to conduct a complete compliance review of each firm. Problem areas are defined and the firm is asked to give top priority to addressing them during the next six months. If there is no effort on the part of the firm to do so, a complaint procedure is undertaken.

The three most important elements in the affirmative action program are workforce goals, promotion, and training.

Workforce Goals.

Over the last few years, the HRC has accumulated what is probably a unique collection of workforce data on design firms submitting proposals to the City and County. The most difficult problem is measuring employment parity for minorities and women in these professions. Their presence has increased dramatically over the last ten years, making 1970 census data little better than useless. Moreover, for whatever reason, there seem to be higher numbers of both minority and women architects and engineers in the Bay Area than is true on a national scale. Average numbers of women engineers in the Bay Area, for example, appear to be around 9%, compared to the 3% figure recently published by Business Week, which is indeed higher than the 1% figure listed in the 1970 Census.

The HRC keeps records of workforce data of all firms submitting proposals to the City. This has enabled it to develop a picture of average employment of minority and women professionals in all the different kinds of consulting firms it is working with. Unemployment in these professions is close to zero, and is not significantly higher for minorities or women. It is, therefore, probable that the figures that the HRC will in time develop will be an accurate projection of parity. Listed below is the average percentage employment of minority and women professionals in the different design professions, computed from firms submitting proposals to the City as well as City consultants:

Architecture.

Average minority employment is 28% and average employment of women is 17%.

Landscape Architecture

Average representation of both minorities (19%) and particularly women (29%) is high in this descipline.

Structural Engineering

Average minority professional employment is very high at 35%, while average professional employment of women is only 7%.

Mechanical/Electrical Engineering

Average minority professional employment is nearly half total professional employment at 40%, while average professional employment of women is the lowest in all engineering at only 5%. Ms. Rathbone said many women are concentrating on computer sciences.

Sanitary Engineering

Average minority employment of professionals is much lower at only 15%. Average employment of professional women is substantially higher in this discipline at 11%.

Soils/Foundation Engineering.

Average minority employment of professionals is 15%. Average employment of professional women is the highest in the engineering professions at 13%.

Environmental Sciences

There is not yet enough data on this discipline. However, all the evidence points in the direction of very low minority participation and very high participation by women, some 50 to 60%.

Draft persons, Lab. Technicians, Engineering Aides, etc.

Average minority employment is 50%. Average employment of women is 31%.

Some of the percentages seem surprisingly high. An average of 40% of professionals in mechanical/electrical engineering firms submitting proposals to the City is currently minority. It remains to be seen if this percentage will be modified over time. The present approach is to use these averages as a measure. If any firm falls significantly below average in any one area, that area is isolated as top priority for recruitment efforts over the next reporting period.

When the HRC started monitoring design firms 3 years ago, average minority employment of professionals in all these disciplines was 11%. It has risen to 21% in 1980. The employment of professional women has risen from 10% to 15%. This probably reflects the pressure of federal and local hiring goals on large public works projects, as well as the steadily increasing number of minority and women design professionals coming out of the schools.

Technical Level

Minority employment of draftpersons, engineering aides, etc. rose quickly from an initial 33% to around 50% and has stayed at this high level over the years. Employment of women at this level continues to rise. From a starting point of 22%, they now represent 31% of the employees in these job categories. This is especially satisfying as employment of women above the clerical level has been a concern raised in many previous reports.

Clerical Level

The major area of concern this year is at the clerical level, where employment had dropped to 32%.

Promotion

Although there does not seem to be any problem getting a job, minority and women design professionals consistently complain of problems of advancement within the firm. If an architectural firm is hired to design a hospital, for example, someone in the firm will be selected as the architect in charge of the project. It is rare indeed that this person is a minority or a woman. The problem is hard to affect through affirmative action programs, as promotion is based on years of service, and often also depends on a prot'eg'e system at the discretion of the employer.

In an effort to deal with the problem, the HRC has developed goals for filling job openings within the firm which can be met not only through a new minority or woman hire, but also through promoting an existing minority or woman employee or putting a minority or woman trainee in the slot. When a company submits a proposal to the City for a design project, it will always list the principal employees that will be working on the project. Part of the HRC affirmative action requirements state that this team of employees must include minorities and women. The HRC can penalize the firm during the selection process if it is not responsive to this requirement, therefore exerting some pressure for promotion of minorities and women into management positions through this means also.

Training

The capacity of firms to hire trainees depends on their workload and size. The primary source of on-the-job trainees in the design professions is still Engineering Societies' Committee for Manpower Training (ESCMT). This is an organization that recruits and and pre-screens disadvantaged and primarily minority persons interested in developing a career in the design professions. Trainees are placed in a local design firm for 10 months on-the-job training, usually in drafting work, and receive a gradually decreasing amount of classroom instruction. ESCMT has also developed a kind of engineering club called Future Tech for 10th graders at a City junior high, a school with a high minority enrollment. The idea is to interest the youth in the design professions through visits to construction sites, lectures from design professionals etc. There is also a Student Apprenticeship Program whereby high school students spend two or three afternoons several times a week receiving on-the-job training in local design firms. Most design firms working on City-funded projects take at least one trainee a year and almost all are willing to participate in Future Tect.

Work experience is vital for students in architecture and engineering, either on a part-time basis or during the summer. The HRC tries to get all minority or woman student each year, with good results.

In the last 3 years, 80 trainees have been hired by design firms working for the City. 65 were on-the-job trainees, mainly from ESCMT. 59 were minority. (The remaining 6 were white females). The breakdown is as follows:

Black:	33	or	51%
Hispanic:	16	or	25%
Filipino:	5	or	8%
Chinese:	4	or	6%
Japanese:	1	or	1%
Native American	0	or	0%
Women	19	or	29%

Black:	3	or	20%
Hispanic:	0		
Filipino:	0		
Chinese:	4	or	27%
Japanese:	1	or	7%
Native American:	0		
Women:	8	or	53%

This impressive and cooperative training effort is responsible in part for the very high employment of minorities and women among draftspersons, engineering aides, etc. It is a particularly important tool in correcting for the under-representation of Blacks and Hispanics in the design professions.

The Disabled.

The HRC has been collecting workforce information on the disabled from all companies submitting proposals to the City for design work. The evidence so far suggests that very few disabled people are employed by these companies. One goal for 1980 should be to work out ways of facilitating contact between these firms and groups specializing in the placement of disabled persons.

It was

******m/s/c that the HRC accept the Report on Design Consultants and Affirmative Action in Employment by Ms. Rathbone.

- Report on Design Consultants: Minority and Woman-Owned Business Participation - Vicky Rathbone.

Ms. Rathbone also followed in her verbal presentation her seven-page written report on her work implementing participation of minority and woman-owned business in the three major City construction projects begun in 1976. A copy of that report is available by telephoning her at the HRC Offices, 558-4901.

Ms. Rathbone touched on the work beginning in 1976, the setting of the HRC policy guidelines for these three huge construction projects, the setting of goals for the City to meet in hiring minority and women-owned design firms, the discovery that most minority and women owned design firms in the Bay Area were very small, with very small gross annual receipts ($375,000 for minority-owned engineering companies in 1975), and that four or five large and fully-competitive minority-owned design firms in the Bay Area were getting most of the Minority Business Enterprise (MBE) work.

Another problem addressed by the HRC was the evident need to make a special provision for insuring minority participation in all aspects of the work, brought on by the revelation that one minority structural engineer was hired to meet all parts of a contract, to the despair of other minority architects, lanscape architects, and mechanical engineers.

The overall goal of any MBE program, said Ms. Rathbone, must be capacity-building and growth, not just dollar amounts and percentages.

There has been general recognition, she reported, that MBE programs work better when minority firms are hired to perform specific portions of a project than when the minority firm provides employees to work on the majority consultant's project team.

The HRC's formal action adopting goals and guidelines for affirmative action and MBE participation by design consultants came in January of 1979. It mandated:

1. A goal of 25% of the design fee for each City and County to be subconsulted to minority businesses.

2. A goal of at least half of the percentage awarded to small minority-owned businesses.

3. A goal of 5 to 10% of the design fee for the total project to be subconsulted to woman-owned businesses.

The HRC strongly encourages the prime consultant to make every good faith effort to include small minority and woman-owned firms to perform meaningful work, in all aspects of the project. To accomplish this goal, the following guidelines have been established:

a. Prime consultants will attempt to hire a small minority or woman-owned business as a subcontracting associate to assist their firms in their share of the project work or to perform a specific portion of their work, particularly where the prime consultant's fee is in excess of $750,000.

b. Major subcontractors will attempt to hire a small minority or woman-owned firm as a subcontracting associate to assist their firms in their share of the project work, or to perform a specific portion of their work, particularly where the subconsultant's fee is in excess of $75,000.

c. The prime consultant will attempt to facilitate the participation of small minority and woman-owned firms by soliciting their interest in those portions of the project that can logically be broken down into smaller increments.

d. The prime consultant will attempt to utilize minority and female owners in the preparation, submission and oral presentation of proposals, and in the negotiation and management of government contracts.

Immediately after adoption of this policy (details of which Ms. Rathbone spelled out in her presentation and which are contained in full in her written report), grave concern was expressed regarding its impact on the capacity-building and growth of minority and women-owned firms. It was felt that the special provision for small businesses would inhibit the growth potential of larger firms, a view expressed particularly by the National Association of Black Consulting Engineers. After appearances by its representatives before the Employment Committee and the HRC, the HRC policy was rescinded briefly.

Eventyally the definition of a "small" business was broadened to include 90% of the minority and woman-owned design firms in the Bay Area.

At the same time, there was a broad consensus that to take away the edge the special provision gave to these "smaller" firms over their competitors would be to effectively eliminate their opportunity to complete successfully the City's purchasing dollar. It was pointed out that the remaining 10% of larger minority or woman-owned firms still benefit from a minimum 12.5% goal

for participation on City projects. The intent of the policy was felt to be the encouragement of the capacity-building and growth of all minority and woman-owned enterprises through their participation on City projects. Thus, while strongly endorsing the NABCE position, the HRC readopted the amended policy as supportive rather than subversive of its intent.

A total of nearly $16 million (four major contracts for more than $12 million, plus many smaller contracts and modifications of older ones) have been awarded since the HRC policy was adopted a year ago. Large MBEs got 13%; small MBEs 15%; and women-owned businesses 2% of the total overall contracts.

In the case of both large and small minority businesses, Ms. Rathbone reported, the HRC goals have been exceeded, though participation by women-owned businesses is disappointing. This is largely because there are so few firms owned by women that can participate in, for example, sanitary engineering project on the Wastewater Program. Woman-owned firms are found predominately she said, in the fields of architecture, landscape architecture, and the environmental sciences.

On all the large contracts awarded over the last year, the projects have been broken down into smaller components so that the minority and woman-owned firms could be hired to perform a specific and meaningful portion of the work, (as in the cited example). Through this means, there has been significant minority involvement in all aspects of the work, as demonstrated by the following breakdown:

	Total	Minority	Women
Civil Sanitary	$4,368,695	$231,438 or 5%	0
Structural	$1,075,500	$612,000 or 6%	0
Mechanical/Electrical	$ 473,743	$473,743 or 100%	0
Architecture	$3,203,026	$248,273 or 8%	$26,156 or 1%
Landscape Architecture	$ 106,926	$ 69,550 or 65%	$19,500 or 18%
Geotechnical	$1,974,284	$1,738,284 or 88%	0
Environmental	$ 131,000	$124,000 or 95%	$70,000 or 53%
Socio Economic	$ 23,272	$ 23,272 or 100%	$ 9,772 or 42%
Traffic Engineering	$ 165,000	$165,000 or 100%	0

In order to meet the 25% goal on major projects, the common practice has been to hire a larger minority firm as a major subconsultant. This accounts for the very high minority participation and equally high dollar amounts in mechanical/electrical work, structural work, and geotechnical work. Smaller firms have been hired to perform tasks that have been broken down so that they are smaller in scope which accounts for the high percent of minority participation and lower overall dollar amounts in traffic engineering, enviornmental work and landscape architecture.

In all contracts the prime consultant has been an architect or civil engineer, and has subconsulted out the indicated percentages of their work, pursuant to HRC policy. Overall, the policy seems to be working as hoped to facilitate the participation of both large and small firms on City projects, in all aspects of the work.

The ethnic distribution of these contract awards was as follows:

Asian	firms received	$2,513,726 or 48%
Black	firms received	$1,403,674 or 27%
Hispanic	firms received	$1,300,101 or 25%
American Indian	Firms received	0

This corresponds broadly with the relative availability of these firms in the Bay Area, (although work has been divided much more evenly between the ethnic groups):

Asian	firms in the Bay Area:	90	or	73%
Black	firms in the Bay Area:	18	or	15%
Hispanic	firms in the Bay Area:	15	or	12%
American Indian	firms in the Bay Area:	1	or	1%

Finally, to complete our MBE program, the HRC is trying to come to an agreement with the City and County's awarding agencies whereby there would be a goal of hiring minority firms as the prime consultant on a certain percentage of projects. Records indicate that only 3 contracts, amounting to $481,908, have been awarded to minority-owned firms, and only one contract, amounting to $70,000, has been awarded to a woman-owned firm over the last three years.

Problem or potential problem areas highlighted by Ms. Rathbone in the MBE work include:

1. Insurance Liability. In one project the City required a small minority firm to buy liability insurance whose premium was more than the project fee. Largely, however, present coverage by the firms is sufficient.

2. Cost. Despite concerns that the cost of supervision and coordination could be prohibitive, there is yet no evidence of this.

3. Bonafide Firms. The bonafide status of only two minority firms has been questioned over the past year.

4. Compliance. In all cases in 1979, the HRC has been able to negotiate agreement when MBE-WBE (minority-women) goals were not met as indicated on forms required to be submitted to the HRC as part of every Request for Proposal (RPF).

5. Availability of firms. With the assistance of a consultant to the City who donated time and materials, the HRC has developed a Director of Minority and Woman-Owned Design Firms in the Bay Area. More than 200 copies have been distributed. Some 150 firms are listed, with information about their specialities.

In summary, Ms. Rathbone said that the HRC felt gratified that its MBE/WBE program and policy had resulted in $5 million in design projects for large and small minority and woman-owned firms on specific portions of major projects.

It was

*****m/s/c that the HRC accept the Report on Design Consultants: Minority and Woman-Owned Business Participation by Vicky Rathbone.

The Employment Committee then offered two recommendations which were discussed, expanded to include "Woman-owned", and adopted as follows:

It was

*****m/s/c that the HRC staff be directed to follow closely the problem of long time-lag by prime contractors in paying minority and woman-owned subcontractors.

It was also

*****m/s/c that the HRC encourage MBE/WBE firms as ideal role models, to develop training slots for minorities and women on their staffs.

- Public Utilities Commission-Professional Service Firms and Minority Business Enterprise Participation.

On behalf of George L. Newkirk, MBE/CC Director, Public Utilities Commission, Alberta Grant, formerly of the HRC staff and now of the PUC Affirmative Action staff, reported on minority participation in the PUC's professional service contracts as follows:

The San Francisco Public Utilities Commission has eight professional service contracts; most are 80% to 90% complete, and many of them started prior to the implementation of the Minority Business Enterprise Program. These contracts total $7,638,707, with $600,000 going to minority firms.

The minority participation on PUC professional service contracts ranges from 20% to 100%. Chin & Hensolt has 100% of the Cable Car Barn Design Study, and 30% of the sub-consultant work on that contract went to small minority firms. Each of the firms is reviewed with the PUC is reference to its employment practices, and in the process of updating all of the employment data. All those in San Francisco have, or are in the process of obtaining, trainees from E.S.C.M.T.

From initial review, it seems that there is a continuing problem of hiring minority and female professionals. The PUC is currently receiving notices of openings as they occur, in order to assist firms in recruiting people for the positions. A more detailed report will be available April 30, 1980.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Report-GAC Activities. - Lloyd Cowan

Anti-Gay Violence Meetings.

The Committee recently sponsored two community meetings (March 15 and 29) to address the problem of continuing anti-Gay violence in the City. Approximately fifty persons representing various community organizations and from the offices of Assemblyman Art Agnos and Supervisor Harry Britt attended. A resource list has been developed which identifies services available to persons who have been victims of an assault. The meetings provided an important means for the exchange of information between the various community groups. Another meeting is scheduled for April 26.

As a result of these meetings, a coalition was formed in order to continue seeking means to resolve and cope with continued anti-Gay violence. The coalition has submitted a draft grant proposal for funding under the federal Law Enforcement Assistance Act (LEAA) to the Bay Urban League. The grant proposes that funds, to be channeled through an organization called Community United Against Violence, be committed to specific means to deal with current and future issues growing out of anti-Gay violence and assults. There would be a Community Advisory Board representative of the diverse racial and ethnic composition of the City. The Urban League has approved the draft concept proposal and a specific program is being developed to forward to federal authorities in Washington, D.C. (Department of Justice).

- National Gay Task Force Reception.

Planning continues for the reception that the GAC, with other groups including the San Francisco Women's Center, will give for Lucia Valeska, Co-Executive Director of the National Gay Task Force, on Friday, April 25, 1980 in the Conference Room of Building A at Fort Mason Center, from 5 to 8 P.M. Some 3,500 invitations have been mailed.

Memorandum from Edward J. Daly, President & Chairman of the Board World Airways, Inc.

This memorandum was addressed to all World Airways employees, with copies to all members of the Board of Directors, all legal counsel, public relations representatives, and all shareholders of World Airways, Inc. It is dated October 18, 1979.

A copy of this memorandum was brought to the GAC by Arthur Lazere, President of the Golden Gate Business Association. In the body of this memorandum, which pertains to the Teamsters union and a World Airways labor dispute/strike taking place at the time, Mr. Daly states (Mr. Cowan read this in full): "Teamster officials have spent time in Federal penitentiaries throughout the Country for abuse and misuse of membership contributions entrusted with them; the Teamers have gone on record in support of queers as reported recently in a San Francisco newspaper. This Company doesn't need hoodlums, racketeers, queers or persons such as Fitzsimmons, for example, who is provided with a home at the plush Teamster-financed La Costa Ranch in Southern California..."

At the time the memorandum was issued, Mr. Cowan said, there was no San Francisco office of World Airways, Inc., whose headquarters is at Oakland International Airport. There currently is a ticket office of World Airways, Inc. on Sutter Street.

Mr. Lazere reported he had been successful in his attempt to get World Airways, Inc. to retract the derogatory comments of Mr. Daly. He thus brought his concerns to the GAC. The Committee voted to write to Mr. Daly requesting a retraction of his comments as they pertain to his attitude about Gay people, and to begin a process in cooperation with World Airways, Inc. to develop a policy of nondiscrimination on the basis of sexual orientation, Mr. Cowan reported. The Committee feels it crucial to have World Airways, Inc. comply with nondiscrimination ordinances regarding Gay people in the City.

Chairperson Morrissey commented that the issue raised regarding this memorandum came under the subject that would be covered in the proposed Policy Against the Use of Racial and Ethnic Slurs due to come before the HRC in May.

HOUSING AND URBAN DEVELOPMENT
Pius S. C. Lee, Chairperson
Antonio Grafilo, Co-Chairperson

- Proposed Resolution in Support of Acquisition of "Churchill Street" Site for Park - Don Hesse, Housing Representative.

This measure had been discussed at the HRC regular meeting March 27, 1980, and action was postponed until the HRC had more details from staff about the site park/parking project.

The proposed resolution that had been discussed on March 27, with a copy of a newspaper article in the March 27 San Francisco Examiner headed "ETHNIC HEAT IN NORTH BEACH OVER GARAGE VS. PARK", was provided to each Commissioner at this meeting. Also provided was the printed material from the Committee for Better Park and Recreation Facilities in Chinatown, including an information sheet on the "Churchill Street" site.

Mr. Hesse, staff for the HUD Committee, discussed in detail the background for the City's acquiring open space for recreational use. He cited the Chinatown 701 Housing and Recreation Study (authorized) in 1971 by the U.S. Department of Housing and Urban Affairs, the Board of Supervisors, and the San Francisco Foundation. The study was to concentrate on housing and recreational needs, using Federal Housing Act Section 701 funding for planning.

Mr. Hesse said the study area in 1970 was bounded by Van Ness Avenue, Bay Street, Montgomery Street, and Pine Street, an area encompassing much beyond what is commonly known and referred to as Chinatown by San Franciscans, but that it came to be known as the Chinatown 701 Study nevertheless.

The HRC in 1972 endorsed the housing aspect of the 701 Study. This study led to the 1973 Open Space element of the State-mandated Comprehensive Plan, giving priority to recreational needs of neighborhoods with heavy concentrations of poor or elderly residents.

Proposition J was passed in 1974. It specified that tax funds be used over the next fifteen years not only for the renovation and upgrading of City parks, but also for the acquisition of property for public open space.

Since 1975, Mr. Hesse, said, one of the citizen groups that was an outgrowth of the 701 Study has advocated annually that the Churchill Street site be purchased with Proposition J funds through the Open Space Advisory Committee, a subcommittee of the Parks & Recreation Department of the City. On November 19, 1980, the Board of Supervisors authorized the Real Estate Department to begin eminent domain proceedings to acquire the Churchill Street site. To date neogitations are underway with the owners (identified as Robert Podesta and Beatrice Cappure). It is believed a bid has been made and rejected. Further details during an eminent proceeding are private information, Mr. Hesse has been informed. The current appraisal value of the site is not known, he said. Mr. Hesse referred to items in the San Francisco Examiner article on March 27, which he called "potentially inflammatory and certainly troubling". The article essentially claims that there is a conflict developing between Chinese and Italian communities in the Chinatown/North Beach areas of the City over the issue of demolition of a 240-stall garage at 735 Vallejo St. for the (Churchill Street is on one side of this site) construction of a park. Mr. Hesse said that what the reporter calls "a Chinatown park" is not what the Churchill Street site will be. He characterized the issue as primarily disagreement between proponents of open space and proponents of parking facilities.

Mr. Hesse said that proponents of the Churchill Street site intend to find an alternate site for parking development. This is a pledge of Supervisor President John Molinari.

Mr. Hesse said again that the present status was that the Real Estate Department was in eminent domain negotiations to acquire the Churchill Street site for a park and that possibly this now includes finding an alternate parking site as well.

There followed comments from several Commissioners.

Commissioner Belli said that her information was that the issue is not solely that between proponents of open space versus parking site proponents. She noted that the Examiner article of March 27 quoted Margaret Brady, Executive Director of the San Francisco Parking Authority, "We would never be able to show feasibility on the Churchill (Alley) site" placing the cost of that solution as between $4 and $5 million. Regarding the augmenting of the existing City garage, "Unfortunately they did not build a foundation that could accommodate another floor". The Commissioner also said that many North Beach merchants in the neighborhood are concerned about the potential loss of parking facilities for their customers. She said she would wish to hear opinions from all parties to the issue.

Commissioner Yamakawa commented that the HRC might at some future point be called on to mediate intergroup tensions that are reported to exist in the area of this proposed park site, and that ideally it should not be in an advocacy position on either side of

the issues. He stressed his feeling that the HRC should keep a neutral position, since eminent domain proceedings are underway, and that it is being asked to endorse the seeking of funds by adherents of the park site.

Commissioner Alley stated his agreement with Commissioner Belli.

Commissioner Lee, Chairperson of the Housing and Urban Development Committee, stated that the HRC is being asked in the proposed Resolution to support both the acquisition of the park site and an underground garage development. He stressed the need of local businesses for parking

Commissioner Lee said there was no intergroup tension situation between Chinese and Italian neighbors in the Chinatown North Beach area.

Mr. Hesse asked that the HUD Committee be given some direction by the HRC: should it consider the issue of the park site alone, or should it consider the issue of intergroup tensions arising out of the park site plan.

On the suggestion of Commissioner Belli,

it was

******m/s/c that the proposed Resolution in Support of Acquisition of "Churchill Street" Site for Park be referred back to the Housing and Urban Development Committee.

A member of the audience, Ms. Beverly Karnatz, Co-Chairperson of the Committee for Better Park and Recreation Facilities in Chinatown, asked for and was granted time to briefly address the HRC.

Mr. Karnatz said that Supervisor Molinari would soon be introducing before the Board of Supervisors a resolution to recognize the need for open space in Chinatown while at the same time noting the need for parking. She said it was not an ethnic issue. She said her Committee hopes that eminent domain proceedings will continue. She said her group was trying to be sensitive to the parking-needs issue while at the same time urging an open space park.

- Report on Fair Housing Complaint Project at HRC - Don Hesse.

The HRC has received a $40,000 grant through the Office of Community Development (OCD, a federal program of grants to the cities) to establish a Fair Housing Program aimed at handling individual complaints from persons in the City alleging discrimination.

Mr. Hesse will be spending 60% of his time implementing this program. He will be assisted by a fulltime Specialist II. Mr. Hesse provided Commissioners with copies of a Flow Chart showing the chronological steps he will follow in processing complaints from intake, interview and determination of validity of complaint, investigation, client counseling, referral, and eventual resolution. The program will subcontract with Operation Sentinel to supply "checkers", persons who follow up on reported discriminatory rental or purchase housing.

Mr. Hesse stressed that this program focuses on individual housing complaints, not on general housing policies, and that it will be able to help only those kinds of complaints that fall under protected categories. If, for example, persons might allege that the refusal to rent an apartment was on the basis of the renter being in the entertainment business, however discriminatory that may be, it still is not what is called a protected category, such as race, religion, ancestry, color, sexual orientation, etc. This program will last for one year.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Chairperson

- Report on Committee Meeting with Police Chief Murphy.

At the request of the Committee, the Chief met with its members and Director Mickins at the Hall of Justice Monday April 7.

The main topic of discussion at our request was the Committee's proposed School/Community Patrol Officers Unit plan, which had been adopted at the Committee level and sent to him on March 18.

Though the Chief said he had not seen the March 18 letter and the plan, there was a full discussion of its 9 basic components.

The Committee went into the meeting prepared to react to the announcement March 20 in the newspaper that police officers had been returned to the public high school campuses on part-time service.

Committee concerns included the need for full-time presence of police officers as security on these school sites; the need to integrate the unit racially, sexually, and ethnically; the need for selection criteria for its members for their particular sensitivity to dealing with youths; and how the unit would operate as a single entity within the Police Department.

The Police Department has drawn up a proposal for federal funds under the federal Law Enforcement Assistance Act (LEEA) which would permit it to pay for full-time officers in the schools and to expand the numbers. We requested a copy of this proposal to study for possible recommendation for the full HRC's endorsement.

The Chief also agreed to consider the following subjects; in addition to the concerns mentioned above.

1. Appointment of a permanent representative to the Committee from the SFPD.

2. A copy of the proposed Police Community Relations Unit plan to be provided the Committee for study. The Committee had suggested that the School Patrol might be made a part of Community Relations.

The Chief was open and receptive to Committee ideas, and informative, and expressed his desire to work with it.

Commissioner Moulton emphasized that the Committee will study the Police Department's LEAA grant proposal carefully, and when reporting on it, would consider recommending HRC endorsement of the Committee's proposed School/Community Patrol Officer Unit plan.

Commissioner Belli commented that she felt the meeting with the Chief was highly productive, but that there was a need to recruit minorities and women to seek assignment to the school patrol positions.

NEW MATTERS

- Response to Herb Caen March 25, 1980 Item Regarding HRC Position on Bill Maher Resolution on Mandatory Expulsion for Possession of Deadly Weapons.

Director Mickins read in full the letter addressed to the Editor of the San Francisco Chronicle by Commissioner Giles as Co-Chairperson with Commissioner Kennedy of the Youth and Education Committee on April 2, 1980. The HRC had authorized that this letter

be sent at its regular meeting of March 27, after noting that Mr. Caen's item had referred to "Human Rights Commission clones" being among those "liberals" who "claim that such a measure would deny children the right to an education."

The HRC letter gives a chronological account of the work the HRC had done with Board of Education President Bill Maher for some weeks on this issue prior to the Herb Caen item.

*****Chairperson Morrissey asked that the full text of the letter be attached to these Minutes.

- Gail Roberts of the HRC staff reported that Commissioner Giles recently had been invited by Myra Kopf, a member of the Board of Education, to meet with the editor of the San Francisco Examiner on a related school issue/editorial subject.

- Inter-Faith Meeting April 19, 1980.

It was announced that the Mayor will join a broad group of people participating in an inter-faith meeting Saturday, April 19 at Noon at Bethel A.M.D. Church (Golden Gate Avenue and Laguna) to "reaffirm making San Francisco a better place for all." The meeting will take place at the same time and day when the American Nazi Party and the Ku Klux Klan are scheduled to hold a public meeting in the Civic Center in observance of the birthday of Adolph Hitler. On April 11, Police Chief Cornelius P. Murphy revoked the permit for the Civic Center event.

The Bethel A.M.E. meeting will be sponsored by the Mayor's Committee for Continuing Education Against Nazism and the KKK, the San Francisco Conference on Religion, Race and Social Concerns, the Commission on Social Justice of the Archdiocese of San Francisco, the San Francisco Council of Churches, and the Black and Jewish Clergy group.

The HRC has worked with these and similar sponsoring groups for many years, most recently in the foundation of an Intergroup Clearinghouse in November of 1979.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, April 24, 1980 at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, May 1, 1980, 9:30 A.M. Flood Building, 870 Market St. Rm. 673
Gay Advisory	Tuesday, May 6, 1980, Noon HRC Offices, 1095 Market Street, Rm. 509
Housing & Urban Development	To be announced.
Police Liaison/Social Issues	Wednesday, May 7, 1980, 3:00 P.M. HRC Offices, 1095 Market St. Rm. 509
Youth and Education	Thursday, May 1, 1980, 3:30 P.M. Yerba Buena Senior Center, 1111 Buchanan Street - Entrance: Golden Gate, between Webster & Laguna Sts.

No Remarks from the audience
Adjournment

Respectfully submitted:

GSM/JC/ew

Grant S. Mickins III
via Jack Casford

City and County of San Francisco

HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution

April 2, 1980

Letters to the Editor
The San Francisco Chronicle
Fifth and Mission Streets
San Francisco, California 94103

Sirs:

As Co-Chairperson of the Human Rights Commission's Youth and Education Committee with Commissioner Willie B. Kennedy, I would like to clarify a reference in Herb Caen's March 25, 1980 column in the Chronicle regarding our position on Board of Education President Bill Maher's Resolution - (mandatory) Expulsion for Possession of Deadly Weapons.

Mr. Caen reported that "Human Rights Commission clones" were among those "liberals" who "claim that such a measure would deny children the right to an education".

The Human Rights Commission shares Mr. Maher's and others' concerns over growing violence in the public schools, especially the increased incidence of the carrying of weapons on school sites. When Mr. Maher proposed the substitution of mandatory expulsion for the already legally-mandated suspension process, the Youth and Education Committee invited him to meet with it so that its members could hear the details of the proposal and raise legitimate questions relative to due process rights for all concerned.

On March 6, 1980, Mr. Maher met with the Committee and, to its satisfaction, stated that the power to expel would remain with the Board of Education, and that the attendance status of a student could be reviewed at the end of a year. Expulsion generally means permanently; suspension, on the other hand, usually is for limited period of time.

Contrary to the impression given by Mr. Caen, the Human Rights Commission did not formally oppose Mr. Maher's expulsion Resolution.

At a second meeting of the Youth and Education Committee, at which Mr. Maher was not present, but which was reported to the full Human Rights Commission, I was directed to write to members of the Board, urging them to define specifically the term "deadly weapon" (which could conceivably include pencils, or portable radios). They were also asked to spell out procedures for expulsion which would guarantee both the rights of the San Francisco Unified School District and those of the expellee.

It was with these recommendations that the Board of Education adopted on March 25, 1980 a modification of the original Maher Resolution which provides that the Board must now consider expulsion as one among several alternatives when reviewing cases of students found on campus with weapons. The amended Resolution must have been satisfactory to Mr. Maher, as he himself voted in favor of it.

For the record, let it be known that the Human Rights Commission has for the sixteen years it has been in existence collaborated with concerned citizens, parents, Boards of Education, and community groups in the pursuit of a quality education for the children of our City. A safe school environment is part of the climate of such a quality education.

More than two weeks ago the HRC's Police Liaison/Social Issues Committee, in another HRC action, joined parents and community in urging retention of police officers on school campuses as another means of preventing violence and promoting student safety.

We believe that the Maher Resolution is but one of the steps necessary in promoting a respect for human life, certainly a basic goal for public education. But the HRC, and others, also believes in continuing vigilance to protect basic human rights that include due process.

Sincerely,

Commissioner Sister Bernadette
Giles
Co-Chairperson
Youth and Education Committee
Human Rights Commission

cc: Barbara Holman, President Parent Teacher Assn., 135 Van Ness Avenue, Room 32A, San Francisco, Calif. 94102
Robert F. Alioto, Superintendent of Schools, 135 Van Ness Avenue, San Francisco, Calif. 94102
Bill Maher, President, Board of Education, 135 Van Ness Avenue, Room 120, San Francisco, Calif. 94102
Herb Caen, The San Francisco Chronicle, Fifth & Mission Streets, San Francisco, Calif. 94103
Editor, San Francisco Examiner, Third & Market Streets, San Francisco, Calif. 94103
Members, Board of Education
Myra Kopf
Peter Mezey
Rosario Anaya
Eugene Hopp, M.D.
Jule Anderson
Ben Tom
Commissioner Giles
Commissioner Kennedy
Essie Thomas

DOCUMENTS DEPT.

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OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of April 24, 1980

NEXT MEETING: Thursday
9:15 A.M. May 8, 1980
Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Vernon Alley, Lia Belli, Sister Bernadette Giles, Willie B. Kennedy, Caryl Mezey, Joan Zamora Moulton, David K. Yamakawa, Pius Lee.

Excused: Antonio Grafilo, Phyllis Lyon.

It was announced that Commissioner Kennedy has been appointed to the Redevelopment Commission by Mayor Feinstein pending confirmation by the Board of Supervisors. Chairperson Morrissey congratulated her and thanked her for her service, since July, 1979, to the HRC. In response, Commissioner Kennedy said she had enjoyed her term on the HRC, had learned a lot about City government in that time, and hoped to remain in contact with her fellow Commissioners and their work.

Staff

Present: Grant S. Mickins, Jack Casford, Joe Meza, Gail Roberts, Mary Gin Starkweather, Essie Thomas.

Pledge of Allegiance

Minutes of April 10, 1980 approved with one correction: Page 12, fourth paragraph, first sentence should read: Mr. Lazere reported he had been unsuccessful (not successful) in his attempt to get World Airways, Inc. to retract the derogatory comments of Mr. Daly.

COMMUNICATIONS

- From Mayor Dianne Feinstein, confirming that Director Mickins will be participating in a May 1 meeting of the Delinquency Prevention Coordination Council. The Council, the Mayor wrote, is the first step in the coordination of human services in the City. Commissioner Giles will be attending the May 1 meeting also.

- From California Association of Human Rights Organizations (CAHRO), announcement of the workshops to be presented at the 7th annual statewide conference, which will be held June 5, 6, and 7, at Oxnard, at the Casa Serena Marina Hotel. Director Mickins noted that the HRC has no travel funds to permit staff to attend this conference.

- From Mayor Feinstein, an inter-departmental memorandum regarding severe restrictions on travel by City employees and commissioners, and spelling out three main conditions: that travel may be scheduled only if it applies to State or federal programs that fund or subsidize local programs; involves specific funding for housing, job and economic development in San Francisco; or, otherwise, is essential to the proper administration or advancement of essential municipal services. Detailed explanatory letters must be submitted with any travel voucher with "full and complete justification for the trip's worth...to the City."

- From John J. Walsh, General Manager, Personnel, Civil Service Commission, announcing that the HRC has been scheduled for an April 30 explanation of the (pertinent to affirmative action employment policy)compliance agreement effected between the City and the federal Office of Revenue Sharing in late 1979. All City Appointing Officers are being given this information. Director Mickins noted that Frank Anderson, of the HRC staff, is coordinating the HRC's mandate under the compliance agreement to monitor City departmental implementation.

- From Bob Vasconcellos, Coordinator, Mayor's Conservation Task Force, a memorandum giving federal emergency building temperature restrictions (heating 65 degrees, cooling 78 degrees, hot water 105 degrees).

- From the Airports Commission, a copy of its Resolution No. 80-0091, adopted April 15, 1980. This Resolution was read in full. Its resolves read: "RESOLVED, That this Commission wishes to take this opportunity to reiterate and strongly restate its adherence to the goal of the Human Rights Commission that action be taken which will result in twenty-five (25) percent of the concessions at the Airport being leased to minority-owned or women-owned business; and be it further

RESOLVED, That this Commission desires to call the attention of all elected officials of this City to the fact that this Commission and all other City agencies may be effectively precluded from carrying out an effective Affirmative Action program which would result in meeting the Human Rights Commission's goals because of certain provisions in the present City Charter; and be it further

RESOLVED, That this Commission hereby urges the City Attorney to issue as soon as possible his formal opinion in response to the request of the Airports Director, dated December 28, 1979, so that the impact of those certain Charter provisions will be delineated and so that, if necessary, an appropriate Charter amendment can be placed on the ballot at the November, 1980 election."

The Resolution also notes that the Airport Commission had requested a formal opinion of the City Attorney on December 28, 1979 concerning the Commission's right to restrict or set aside certain concessions to minority-owned or women-owned businesses in order to carry out affirmative action.

Director Mickins said the catalyst for this Resolution in part was his appearance recently before the Airports Commission to announce the HRC's rejection of a major contract bid as having a subcontractor that was not a bonafide minority-owned firm as claimed.. There was a strong reaction to his recommendation from some Airport Commissioners, he said. Though the contract in question was not awarded, Director Mickins said the Resolution 80-0091 of April 15, 1980 was adopted to reaffirm the Airports Commission's commitment to minority and women-owned business participation in their contracts. Director Mickins also said that he and Airports Director Richard R. Heath had written separately to the City Attorney asking for a formal opinion on the applicabilityof Charter provisions regarding Airport lessees affirmative action; however, up to the time of the Resolution, the City Attorney had not yet responded.

Chairperson Morrissey asked Director Mickins if he were satisfied that there was adequate notice and publicity disseminated by the Airports Commission that there was opportunity for minority and women-owned businesses to bid for their contracts. Director Mickins explained that there is as much publicity and notice as is possible, and that the HRC routinely adds to the Airports Commission bid distribution list the names of every known minority and women-owned business in this area. Despite these efforts, he said, there is a very poor response as far as bids submitted by minority and women-owned businesses. One major reason for this, it is felt (and Commissioner Moulton concurred with this), is the difficulty of small firms in meeting bonding and other guidelines and qualifications that are set for eligibility to bid. Director Mickins said the HRC has been successful in getting modifications of some qualifications it has been agreed are not essential to the carrying out of certain contract obligations. It is felt that perhaps new Federal Aviation Administration regulations will take precedent over some of the City's Charter restrictions on eligibility, Mr. Mickins said.

The minority-owned lessees at the Airport currently two shoeshine stands and a barber shop.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, a formal request on behalf of Supervisors Nancy G. Walker and Quentin L. Kopp that the HRC review an agreement entered into between the Airports Commission and Airport Parking Management "with a view to determining whether Airport Parking Management conforms to the affirmative action requirements of Chapter 12B of the Administrative Code..."

- From Penny Nakatsu, Staff Attorney & Project Supervisor, Employment Law Center, announcing the Ex-Offender Licensing Standards Project. The project goal is described as the development of improved, fair licensing standards by state occupational licensing agencies which will eliminate arbitrary exclusion of qualified persons who happen to have criminal records. The Center said it can provide legal representation for ex-offender license applicants and license holders who wish to appeal agency denials of their applications or disciplinary actions based on conviction records.

- From Henry Der, Executive Director, Chinese for Affirmative Action, expressing the "hope that the HRC will investigate...all city departments as to whether a similar prohibition (against the use of other languages besides English during office hours) has been promulgated or ordered..." The CAA concern grew out of a letter to the HRC from Jun Kempis on March 28, 1980 regarding a March 20, 1980 memorandum by Thelda Poteet, Administrative Assistant at San Francisco General Hospital, prohibiting the use of other languages besides English during office hours. The memorandum was publicized in the local media. The memorandum subsequently was rescinded by Ms. Poteet, San Francisco General Hospital's Administration office reports.

DIRECTOR'S REPORT

- "Affirmative Action in Construction Employment in the 80's" - Workshop.

This training and information workshop, co-sponsored by the HRC and the San Francisco Redevelopment Agency, attracted more than 100 participants including attorneys, federal, state and City agencies, and union and private-sector representatives to Golden Gate University April 23 for a day-long session.

Director Mickins said it was a precedent-setting occasion, and perhaps one of the most successful such events, with a superb speaker roster.

Stanley Lim and Linell Harden of the HRC staff worked with Redevelopment Agency staff for the organization of this workshop, wh which included panels on Collective Bargaining Agreements/Apprenticeship in California/Consent Decrees, on Requirements for Contract Compliance, and on the Filing of Complaints

Chairperson Morrissey, who made one of the two welcoming addresses to the workshop, commended the efficient organization of it, and said there had been most excellent and informative presentations, forcibly presented, on the numbers of consent decrees and their implementation, among other interesting aspects of affirmative action in construction employment. He said he was especially interested in the detailed explanation and history of the hiring hall concept/ operation.

Director Mickins said a permanent tape record was made of the workshop.

STANDING COMMITTEES

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Willie B. Kennedy, Co-Chairperson

- Planning for the 1980 Summer Youth Employment Program - Commissioner Giles.

Thomas Swinnerton, Assistant Coordinator of SYEP for the Mayor's Office of Employment and Training, discussed it at an April 17 meeting of the Committee. The Program is administered under the Mayor's Office of Employment and Training.

The Program is funded through the federal Comprehensive Employment Training Act (CETA) and will provide 4,043 positions this summer, compared to the more than 6,000 served in the summer of 1979. The total funding was not reduced, but since the minimum hourly wage was raised (to $3.10) fewer positions could be filled.

The 1980 SYEP administrative is located at 1950 Mission, Building 5. Its activities begin June 30 and run through September 30. To be eligible youth must be between 14 and 21; from economically-disadvantaged families (there is a maximum income level); and be residents of the City.

Youth participants are allowed to work a maximum of 20 hours per week and there also are classroom training sections with those Aid to Families with Dependent Children/Supplemental Security Income recipients receiving an incentive allowance of $30 a week.

A Summer Camp Program, funded jointly by the National Football league, U.S. Department of Labor, and local trade unions, will serve the 14-21 age group and provide work orientation.

A Workreation Program, sponsored by the City Recreation and Park Department, will operate six hours a day-----three hours paid work, and three hours of recreation activities in arts, crafts, or athletics. Youths 15 to 21 are eligible for this program and can register at Mc Laren Lodge in Golden Gate Park.

A Recreation Support Program, described by Joseph Meza of the HRC, which has recently been brought under administration of the Economic Opportunity Council has suffered a cut from $100,000 to $36,000 to provide transportation so youths could participate in summer youth programs in the City.

Work experience participants in the Summer Youth Employment Program are assigned to work sites in a public or private non-profit agency, and are provided with adult supervision. Youths also can qualify for classes preparing for GED tests (General Educational Development) equivalent to high school diplomas; they can participate in clerical training programs; or learn to weld in another course. A Motivation program primarily serves American Indian youth.

Approximately 35 community organizations in mostly target area neighborhoods of the City work with the overall Program. They include Multi-Services Center for Koreans, Samoans for Samoans, Inc., Real Alternatives Program, Inc., Central City Hospitality House, San Francisco Boys' Club, OBECA/Arriba Juntos, Mission Language and Vocational School, The Portrero Hill Neighborhood House, and the West Bay Pilipino Multi-Service Corp.

Neighborhoods served include the Western Addition, Richmond, Hunters Point, Visitation Valley, etc.

- Newcomers Center High School.

Commissioner Giles noted that Newsweek Magazine in a recent issue did a story on San Francisco's Newcomers Center. She noted that the Committee had made a report in 1979 on its visit to this school, which provides orientation and basic education for non-English-speaking arrivals in the City, especially from Asian countries.

HOUSING AND URBAN DEVELOPMENT
Pius S.C. Lee, Chairperson

- Community Reinvestment Act Status Report - Mary Gin Starkweather, HRC Employment Compliance Specialist.

In a February 14, 1980 report to the HRC on the status of affirmative action with the banks and savings and loan institutions in the City, Ms. Starkweather referred to a newspaper article on the Community Reinvestment Act and a proposed merger of Glendale Federal Savings and Loan and West Coast Federal Savings and Loan Association in which, it was reported, a considerable sum, in the millions, would be made available for real estate loans to minorities and low-income residents of the neighborhood.

Ms. Starkweather, asked by Commissioner Lee to follow up on this report, contacted Glendale Federal. The spokesperson for the company said, "The newspaper article was premature. We aren't even sure if the merger is going to occur, and we have no provisions for low-income persons, and we have no money set aside for such loans. We wish the article had not been printed, as we are not prepared to act on it."

Then Ms. Starkweather met with J.S. Lopez, Manager of the 24th and Bryant Street branch of the Bank of America, using questions suggested by Commissioner Lee. Ms. Starkweather's verbal report at this HRC meeting was taken from her written report of questions and answers.

Basically, she learned from Mr. Lopez:

- The Bank of America does not have any specific amount of money set aside for real estate loans to low-income persons (under the federal Community Reinvestment Act of 1977)at the branch level. It does have a City Improvement and Restoration Program. Ms. Starkweather distributed to Commissioners copies of the Bank of America's printed brochure, Community Reinvestment Act Statement-1980 Bank of America NT & SA
- Bank of America's 24th and Bryant branch actively solicits the local area real estate brokers, but there are three major targets

home loan areas in the City, the Mission, the Western Addition, and Chinatown.
- Credit standards for low-income real estate loan applicants are the same as for all applicants.
- Loan fees (amounts of money a loan applicant is required to pay to obtain a loan) are the same for low-income persons as for all. Points (a point is 1% of the loan total) are charged, ranging from 1½ points for loans up to $75.000 in target areas, to 2 points for a $50,000 loan.

Commissioner Lee said there was no regulation covering the points fees that could be charged, and that some institutions might charge 5 or 6 points (or 5 to 6% of the total loan value) to applicants.

Ms. Starkweather's conclusion was that, with the tight money market, real estate speculation, and the shaky national economy, it is almost impossible for the low-income person to take advantage of the Community Reinvestment Act.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, May 8, 1980, at 9:15 A.M., in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thurs., May 1, 1980, 9:30 a.m., Flood Bldg., 870 Market St., Room 673.
Gay Advisory	Tues., May 6, 1980, Noon - HRC Offices, 1095 Market Street, Room 509.
Housing & Urban Development	To be announced.
Police Liaison/ Social Issues	Wed., May 7, 1980, 3:00 p.m., HRC Office, 1095 Market Street, Room 509.
Youth & Education	Thurs., May 1, 1980, 3:30 p.m., Yerba Buena Senior Center - 1111 Buchanan Street Entrance: Golden Gate Ave., between Webster/Laguna Sts.

No Remarks from the Audience

No New Matters

Adjournment

Respectfully submitted,

Grant S. Nickins III
via Jack Casford

GSM/JC/ew

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of May 8, 1980

NEXT MEETING: THURSDAY
9:15 A.M. May 22, 1980
Commission Room, Third Floor
Main Library, Civic Center

DOCUMENTS DEPT.

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NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present:

John C. Morrissey (presiding); Lia Belli, Sister Bernadette Giles, Pius Lee, Phyllia Lyon, Caryl Mezey, Clemente Obregon, Rabbi Weiner, David Yamakawa Jr.

New Commissioners Clemente Obregón and Rabbi Martin W. Weiner, sworn in by Mayor Feinstein May 2, 1980, were welcomed to the HRC.

Excused: Vernon Alley, Antonio Grafilo

Staff

Present: Grant Mickins, Jack Casford, Lloyd Cowan, Sandy Falabrino, Stanley Lim, Joe Meza, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Essie Thomas.

Pledge of Allegiance

Minutes of April 24, 1980 approved with addition of verb "comprise" at end of the line of the first sentence in the second paragraph on Page 3, where the stencil did not reproduce. The sentence as corrected reads, "The minority-owned lessees at the Airport currently comprise two shoeshine stands and a barber shop."

COMMUNICATIONS

- From Roaches Eliminated, a copy of a letter sent by Thelda Poteet, Assistant Administrator, San Francisco General Hospital, to Terry A. Francois, an attorney, who also holds the distributorship of a product called Roach Prufe, regarding Department of Public Health policy on pruchases, and referring him to the City and County Purchasing Department for evaluation of the effectiveness of the Roach Prufe product.

- From Mayor Dianne Feinstein, a Memorandum sent to all department heads, outlining in detail new procedures regarding travel charged to City or grant funds by City Employees. This Memorandum was read in full.

- From Willie E. White, Director, Pomona Valley YMCA Outreach, Youth Men's Christian Association of Pomona Valley, a form letter asking for information for a survey of cities receiving Community Block Grant Funds and how they are utilizing them.

- From Rabbi Alvin I. Fine, a copy of a letter of thanks he sent to Mayor Feinstein for her Resolution on the occasion of his recent retirement from the HRC.

- From Mayor Feinstein, a letter to Speaker of the Assembly, Leo McCarthy, expressing her personal endorsement of Assembly Bill 2597, which would give state support to county human rights/relations commission.

- From Thomas K. Yerkes, Director, Administration and Finance, Port of San Francisco, announcing that the position of the Port Commission and its staff is "one of full cooperation with all agencies especially the H.R.C...That fact is a matter of Commission record and it is the responsibility of both the Commission and the staff to comply."

Director Mickins said that this letter, which he read in full, represented much work by the HRC staff in obtaining full cooperation in affirmative action, especially since a $30 million restoration of the Ferry Building is about to begin. He cited HRC staff members Donald Hesse and Vicky Rathbone, who have been working in the preliminary stages of this major project. The HRC had written Mr. Yerkes requesting a formal statement of the Port Commission's commitment in affirmative action.

Commissioner Mezey noted that in his letter Mr. Yerkes said, "The Port Commission will fully comply with the charter as it pertains to minority and women-owned business enterprise participation." She said that what she hoped Mr. Yerkes meant was the City Administrative Code, which contains Chapters 12A, 12B, and 12C that mandate the affirmative action implementation by the HRC. It was felt that the latter was what Mr. Yerkes did mean.

- From Glen W. Sparrow, Executive Director, San Francisco Charter Commission, seeking the HRC's views on the description of the powers and duties of the HRC as a charter Commission as spelled out in the Charter Commission's first draft of a proposed revised San Francisco charter. Mr. Sparrow also requested that Chairperson Morrissey and Commissioner Yamakawa, who appeared before the Charter Commission March 6, submit written recommendations. The second Charter Commission draft is being prepared, Mr. Sparrow reported.

Mr. Sparrow's letter was read in full, and there was discussion about the March 6 hearing. The two Commissioners said they did not recall promising any written material to the Charter Commission. They said they already had provided written copies of their position.

Chairperson Morrissey asked that the two new Commissioners receive copies of the excerpts from the proposed Charter first draft that he had distributed January 31, 1980 to the HRC.

Director Mickins said some community groups had expressed concern that the first draft did not specifically spell out affirmative action and the HRC mandate for implementing it.

Commissioner Lyon suggested that the HRC provide the exact language that they would wish the Charter Commission to include.

- From James D. Holden, of Rudy, Rapoport and Holden, the law firm representing North Point Pier, Inc., responding for Steven Herman, who had been the firm representative with whom the HRC had been trying to meet for many months on the appeal of a Director's Finding of Noncompliance. Mr. Holden said that Mr. Herman would be unable to meet regarding settlement terms because of both professional and personal obligations until the last week in July at the earliest.

Mr. Holden also said that North Point Pier, Inc. would not in any event meet to discuss a monetary penalty as part of any settlement.

Director Mickins characterized the current status of the efforts to settle as "an impasse". He said the HRC's cash payment suggestion had been made because of its conviction that because of North Point Pier, Inc.'s (Pier 39) noncompliance and refusal to set up affirmative action program with the HRC early in its development many minority businesses had suffered financially because of their lost opportunity to participate. He also said the past conduct of North Point Pier, Inc. had been "reprehensible," and that the HRC continued to feel that cooperation is essential in carrying out its mandate.

The lack of response to HRC settlement terms by Mr. Herman and his office has been chronicled in reports to the HRC for the past several months. Mr. Mickins said that he felt HRC should prepare for a re-hearing on the Appeal of the Finding of Noncompliance. He said that the HRC wrote May 7 to Mr. Holden, clarifying different approaches to settlement. If the HRC has not a response by its next regular meeting May 24, he would come to it with a recommendation that another hearing be scheduled.

*****After some extended discussion over the continuing nonresponse of North Point Pier, Inc. and its legal representatives, the HRC set Tuesday August 5 and Thursday August 7 as the dates of another hearing in the Appeal by North Point Pier, Inc. of a Director's Finding of Noncompliance. The first hearings were in August of 1979.

- FromGilbert Boreman, Clerk of the Board of Supervisors, the schedule of hearings by the Finance Committee on the Budget for May, June & July, 1980. The HRC has been scheduled for June 24 at 1:00 P.M. for its presentation. See Director's Report.

DIRECTOR'S REPORT

- HRC Budget 1980-81.

The Director, the Chairperson, and staff met with the Mayor Monday May 5 to discuss the HRC budget for the next fiscal year. It was learned that the Mayor intends to recommend the HRC at the 90%-of-previous-budget level it has submitted. A number of Propositions on the City ballot in June must pass in order for departmental funding to remain as presently anticipated.

- Assembly Bill 2597.

This measure, introduced by Assemblywoman Gwen Moore of Los Angeles, has been discussed before at the HRC. It seeks to provide state encouragement and matching funds for local county human relations/rights commissions. It would provide matching funding from a - $1.6 million allocation on the basis of 7 cents per resident. This could mean some $50,000 to San Francisco.

The HRC has expressed some concerns about AB 2597 earlier:

1. That it include a nonpre-emption clause pertaining to local governmental functions; and

2. That it assure that state funding does not serve in substitution of local governmental funding heretofore provided.

Director Mickins said that AB 2597 had been re-written to allay HRC concerns about possible pre-emption over local human rights/relations commissions' enabling legislation and that it now stated that that is not the bill's intent.

Mr. Nickins appeared before the Assembly Ways & Means Committee in Sacramento with other supporters from other California local commissions the last week in April. He testified on his personal support of AB 2597. Ways & Means voted approval of AB 2597 and placed it in the Suspense File, where bills are ranked by priority for ability to fund before they go to the full Assembly. The HRC endorsed Senate Bill 705 in 1979 which had the same purpose. That bill was defeated in the Senate Finance Committee. The City's State Letislation Committee meets May 9 to vote on an official City endorsement of AB 2597.

After some discussion, it was

*****m/s/c that the HRC vote formal endorsement of Assembly Bill 2597.

STANDING COMMITTEES

EMPLOYMENT

- David K. Yamakawa Jr., Chairperson

- Meeting Place for Committee to be Changed.

The Employment Committee will no longer be meeting in Room 673 at 870 Market Street for its regular first-Thursday-in-the-month sessions at 9:30 A.M. The new room will be announced later, but in the meantime interested persons should telephone Vicky Rathbone at the HRC Offices, 558-4901.

- Proposed Policy Regarding the Use of Slurs by City Officials and Employees.

This document is the outgrowth of an action by Commissioner Lee, who, on February 14, 1980, at a regular HRC meeting, read a prepared statement regarding the use by City officials or employees of racial or ethnic slurs. That statement, and the recommendation that a policy be written, grew out of the job transfer of City Registrar of Voters Thomas Kearney, under pressure primarily from the Chinese community, for his reported use of derogatory terms verbally and in public in 1979. Subsequently, the Director of Community Mental Health Services, Dr. Steven Estrine, resigned following the bringing of similar accusations of his alleged use of similar derogatory terms against Chinese people.

Commissioner Lee's recommended policy was referred to the Employment Committee for study.

Vicky Rathbone, who staffs the Employment Committee, then discussed the preparation and contents of the recommended Policy Regarding the Use of Slurs by City Officials and Employees, which was introduced by a Human Rights Commission Statement and Recommended City Policy Regarding the Use of Slurs Against Groups Protected by Chapters 12A, 12B, and 12C of the City and County's Administrative Code.

Ms. Rathbone said that some changes in the original draft of the Policy document were made at the suggestion of the American Civil Liberties Union, which had concerns that centered on:

1. Limiting the application of the Policy to City employees acting in their official capacity.

2. More precise definition of the word "slur."

The Committee drew from an article in the Yale Law Journal

on the kinds of speech that should not be protected by the First Amendment to the U.S. Constitution, such as so-called "fighting words", pornography and incitement to riot. These categories of speech, the article held, had the following similar characteristics: that they cause public harm, do not appeal to the conscious faculties, and are not an essential part of any exposition of fact or opinion. The Yale Law Journal held that these characteristics also applied to a further kind of speech that it called "group villification." In developing the definition of the word "slur," HRC staff depended on these definitions, as it was felt that both "group villification" and "fighting words" closely resembled the type of speech the policy sought to prohibit.

Staff also drew, Ms. Rathbone said, on Chapter 12A of the Administrative Code when developing the definition. Chapter 12A specifically speaks to HRC's role in eliminating intergroup tensions, such as those created by the use of slurs, which threaten peace and order, and are inimical to the public welfare. The final definition of the word "slur" as used in the recommended Policy, is: "A word, or combination of words, that by its very utterance inflicts injury, offers little opportunity for the due process of counterargument, does not appeal to the conscious faculties, nor forms an essential part of any exposition of fact or opinion."

Ms. Rathbone then read in full both the Statement and recommended Policy. Both had been adopted by the Employment Committee and recommended to the full HRC for action.

After discussion by Commissioners, and additions, deletions, and technical and grammatical changes, it was
*****m/s/c that the HRC adopt the Policy Regarding the Use of Slurs by City Officials and Employees, and that it be sent, with a cover letter, to the head of all City departments, commissions, boards, and agencies urging their adoption, and asking for a report on what action they took. The recommended Policy introductory Statement are attached to these Minutes.

- Commissioner Mezey expressed her thanks to HRC staff, Ms. Rathbone, and members of the Employment Committee for their careful research and study of this difficult issue in order to produce the recommended Policy. Both the Policy and the introductory Statement are attached to these Minutes.

- Acceptance of Bank(Financial Institutions) Status Report - Mary Gin Starkweather.

The Status Report on Financial Institutions was made to the HRC at its regular meeting February 14, 1980. The report was not formally accepted at that time because of a referral back to the Employment Committee for determination of a uniform racial classification list for purposes of workforce breakdown reporting. That work is still under Committee study and should be reported to the HRC in June.

Ms. Starkweather then reported that at this time the Committee was seeking formal acceptance of the informational Status Report on Financial Institutions only, pending drawing up a uniform racial designation/classification list, so that the report could be distributed to the Financial Institutions for their information.

After discussion, it was

*****m/s/c that the HRC accept the Status Report on Financial Institutions, with the understanding that the uniform racial classifications to be used in the Questionnaire on Recruitment, Hiring, and Training have not yet been finalized.

Commissioner Lee asked if there could not be a position taken on requiring savings and loan organizations and banks with deposits of City monies to lend that money only in the City, and not transfer it outside of the City. He asked if the HRC's Affirmative Action Requirements for Banks and Savings and Loan Institutions might not be amended to include more than just employment.

Ms. Starkweather said that the HRC's powers were restricted to employment affirmative action compliance only, and not to banks' internal lending policies.

Commissioner Yamakawa commented that the HRC would have to make a separate recommendation for a separate City policy in the case of Commissioner Lee's concern about City deposits/bank loan policies.

- Director Mickins said he would ask the City Treasurer if there currently are any procedures or limitations on how time-deposits are used.

GAY ADVISORY
Commissioner Phyllis Lyon, Chairperson

- Proposed Resolution Concerning CBS Documentary Program.

This presentation was postponed to the HRC meeting scheduled for May 24.

- Report on the National Gay Task Force Reception. - Lloyd Cowan.

The Gay Advisory Committee co-sponsored, with the San Francisco Women's Center, a reception in honor of Lucia Valeska, Co-Executive Director of the National Gay Task Force, on Friday, April 25 in the Conference Room of Building A at Fort Mason Center. Approximately 160 persons attended, and Mr. Cowan, who is the HRC staff for the Gay Advisory Committee, said the reception was considered a success. Commissioner Lyon thanked those members of the staff and the HRC who helped and attended.

YOUTH & EDUCATION
Sister Bernadette Giles, Chairperson

- Reductions Proposed for Class Period Cutbacks. - Commissioner Giles.

It has been proposed by the San Francisco Unified School District that class periods in San Francisco Middle and High Schools for the 1980-81 school year be reduced from six to five as part of the budget cutbacks that will be necessary if the school budget is to be balanced, as the State Educational Code requires. Reduction of class periods does not mean reducing the class day, but rather the number of course offerings daily.

At the Committee meeting on May 1, two guests addressed this problem: Ms. Donna Caravelli, a member of the Ad Hoc Committee to Save the Schools, and Dr. Ronald E. Cole, President, San Francisco Association for Gifted Children.

The proposed cuts, it is reported by the Ad Hoc Committee to Save the Schools, to five-period days could mean, in Middle School: elimination of all arts and industrial arts courses all foreign language courses; 6th and 7th grade science; 8th grade algebra and pre-algebra; and all typing, as well as English-as-a-Second Language (ESL) reading.

In High School, the proposed cut from six to five periods could mean: elimination of most art, drama, and business(typing and shorthand) classes; possibly music; probably ESL reading; and the elimina-

tion of librarians and some counselors and assistant principals.

It is estimated also that college-bound students would be particularly struck by the elimination of electives from the curriculum. They would no longer, it is claimed, be able to enter the University of California, "either directly or through Community College, with the full range of high school courses that the University requires of them and recommends that they take." The quote is from a Summary Sheet document prepared by the Ad Hoc Committee to Save the Schools. It lists some 30 courses in literature, science, writing, drama, psychology, sociology, mechanical drawing and art that are recommended for reduction or elimination and says each of them is recommended by the University as high school preparation for some University major field.

The summary also states that with the five-period day, some students will be forced to make vocational choices before the 9th grade. There would be no summer sessions. It is reported that if courses needed to be taken over, students might have to spend an extra semester in high school.

Commissioner Giles said the Committee has invited the School District to send a representative to its next meeting to discuss what plans it has to try to cope with these problems if the five-period day is adopted. She mentioned quarter course offerings and team-teaching as two possibilities.

Commissioner Giles also said that the School District had been invited because it was felt that some of the dismal predictions of the results of proposed cutbacks might be inflammatory.

NEW MATTERS

- Welcome to New Commissioners Obregón and Weiner.

Commissioners Obregon and Weiner were welcomed formally by Chairperson Morrissey and asked to submit their committee assignment choices to him.

- Naming of New Vice-Chairperson.

Chairperson Morrissey named a Nominating Committee(Commissioner Mezey, Chairperson; Commissioner Yamakawa) to recommend candidates for the post of Vice-Chairperson to replace Commissioner Kennedy, who has been named to the Redevelopment Commission.

- Translation of Policy on Slurs.

Commissioner Lee said he would make a translation into Chinese of the Policy Regarding the Use of Slurs by City Officials and Employees.

- New Commissioners.

Director Hicks said that three appointments of new Commissioners to the HRC will be announced in the near future.

Commissioner Alley will be resigning to accept an appointment to the Arts Commission.

With the three new appointments, there will remain one vacancy.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, May 24, 1980 at 9:15 A.M., in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, June 5, 1980 9:30 a.m. 870 Market Street - Room #673
Gay Advisory	Tuesday, June 3, 1980 - Noon 1095 Market Street, Room 509-HRC Offices
Housing & Urban Development	To be announced.
Police Liaison/ Social Issues	Wednesday, June 4, 1980, 3:00 P.M. 1095 Market Street - Room 509-HRC Offices
Youth & Education	Thursday, May 15, 1980, 3:30 P.M. Yerba Buena Senior Center - 1111 Buchanan Street Entrance: Golden Gate, between Webster/Laguna Sts.

No Remarks from the Audience.

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC/ew

HUMAN RIGHTS COMMISSION OF SAN FRANCISCO
1095 Market Street, Suite 501
San Francisco, CA 94103
558-4901

HUMAN RIGHTS COMMISSION STATEMENT AND RECOMMMENDED CITY POLICY REGARDING THE USE OF SLURS AGAINST GROUPS PROTECTED BY CHAPTERS 12A, 12B AND 12C OF THE SAN FRANCISCO ADMINISTRATIVE CODE

It is the policy of the City and County of San Francisco to eliminate discrimination against any person based on race, color, creed, national origin, ancestry, age, sex, sexual orientation or disability. It is also the policy of the City and County to prohibit discriminatory practices by its departments, commission, boards and agencies. The provisions of Chapters 12A, 12B, and 12C of the San Francisco Administrative Code address this policy. Although the Chapters speak in terms of acts, it is implied that spoken and written slurs against any group protected by the Chapters are also prohibited. This is particularly true where negligent and/or provocative statements concerning the protected groups are made by City officials and employees in the performance of their job duties. Such statements by City officials and employees in their official capacity lend the power and authority of the state to the prohibited conduct.

Written or spoken slurs against these protected groups are "inimical to the public welfare and good order in that they 'frustrate, degrade and embitter' members of these groups and tend to create intergroup hostilities and anti-social behavior." (Chapter 12A 1.) Such slurs deprive members of the target groups of the equal treatment and respect to which all persons are entitled by law.

For these reasons, the Human Rights Commission, acting pursuant to Chapter 12A, Section 12A.5.(e), proposes that the Civil Service Commission and each City commission, department, board, and agency adopt the following official policy:

POLICY REGARDING THE USE OF SLURS BY CITY OFFICIALS AND EMPLOYEES

It is the policy of the City and County of San Francisco, and of each of its officials, employees, and agents acting in their official capacity, to treat all persons equally and with respect, and to refrain from the wilful or negligent use of slurs against any person because of race, color, creed, national origin, ancestry, age, sex, sexual orientation or disability. A slur as used in this policy is a word or combination of words that by its very utterance inflicts injury, offers little opportunity for the due process of counter argument, does not appeal to the conscious faculties, nor forms an essential part of any exposition of fact or opinion. All persons are entitled by law to equal treatment and respect. Slurs deprive members of the protected groups of this right by holding them up to public contempt, shame and disgrace and causing them to be shunned, avoided or injured in occupation. By promoting ill will and rancor, they diminish peace and order.

The use of such slurs by City officials or employees will be considered by commissions, departments, agencies, boards, or the appointing authority as prima facie evidence of the lack of competence of said City officials and employees, shall reflect on job performance evaluations, and may be the basis for evaluating one's fitness as a City employee.

gm 5/9/80

Adopted by HRC 5/8/80

SF
HRC
#2
5/22/80
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HUMAN RIGHTS COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of May 22, 1980

NEXT MEETING: THURSDAY
9:15 A.M. June 12, 1980
Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: David Yamakawa Jr. (presiding), Samuel H. Chung Sister Bernadette Giles, Antonio Grafilo, Robert D. Edwards, Phyllis Lyon, Caryl Mezey, Joan Zamora Moulton, Clemente Obregón, Rabbi Martin S. Weiner, Stephen A. E. Stratton.

Excused: Lia Belli, Pius S. C. Lee, John C. Morrissey, Brenda K. Wade.

- New Commissioners Robert D. Edwards, Samuel (Sun Fee) H. Chung, and Stephen A. E. Stratton were introduced. They and Brenda K. Wade, who was not present at this meeting, were sworn in by Mayor Feinstein May 21, 1980.

Staff

Present: Grant Mickins, Jack Casford, Lloyd Cowan, Joe Meza, Vicky Rathbone, Gail Roberts, Essie Thomas, Ed Vurek.

Pledge of Allegiance

Minutes of May 8, 1980 approved.

- Election of Vice-Chairperson

On recommendation of the Nomination Committee, Commissioner Phyllis Lyon was unanimously elected as Vice-Chairperson, succeeding Commissioner Willie B. Kennedy, who resigned to join the Redevelopment Commission of the City.

Commissioner Yamakawa turned the gavel over to Vice-Chairperson Lyon, who then presided for the rest of the meeting.

COMMUNICATIONS

- From Edward R. Gerber, State Representative, Office of the Mayor, a copy of his letter to Assemblywoman Gwen Moore, 49th District, author of Assembly Bill 2597 (to provide matching state funds for local human relations commissions), informing that the City officially supports this bill. See Director's Report.

- From Supervisor Carol Ruth Silver, thanking Director Mickins for a copy of his report on April 18, 1980 regarding the War Memorial Board and its stated commitment to comply with City affirmative action requirements, including attaching a copy of the Nondiscrimination Ordinance to all contracts it puts out for bid.

- From James H. Johnson, Co-Chairman, National Housing Conference, Inc., an invitation to attend a $100-a-plate dinner May 28, 1980 in honor of Gerson Bakar, "for his many contributions... to the achievement of decent and affordable housing".

- From Betty Sellers, Director, and David Steward, President, California Association of Human Rights Organizations (CAHRO), reminding of the annual meeting of this organization June 5, 6, and 7 in Oxnard.

- From Carl Martin, Director, Los Angeles County Commission on Human Relations, data on the status of AB 2597.

- From Raymond K. O'Neil, Manager, Finance & Administration, San Francisco Wastewater Program, responding to Director Mickins' April 17, 1980 letter proposing a budget for the HRC's continued assistance with the Wastewater Program Affirmative Action Project. Mr. O'Neil outlined five specific and formal procedural points regarding funding the HRC for its staff and office services. Mr. O'Neil also required three specific informational documents from the HRC.

Director Mickins read this letter in full. He commented that the HRC has, in effect been funded for one year by the Board of Supervisors to monitor the Wastewater Program, and, prior to March 1979, had carried the burden of monitoring internally.He noted that greater budget accountability can be understood, but that there was a question of good in light of the Wastewater Program's long insistence that the City should pick up this huge cost of the HRC services for it, even though mandated by federal and state agencies. He noted also that all staff personnel at the HRC in any funded programs have since 1979 fully documented their work in monthly reports. Mr. Mickins said that the HRC will submit whatever is necessary to substantiate its role.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, requesting on behalf of the Government Services Committee specific information pertinent to a proposed revision of the Nondiscrimination Ordinance (Chapter 12B of the City Administrative Code) as it relates to handicapped (disabled) persons. See Director's Report.

- From Donald J. Garibaldi, Airports General Counsel, Office of the City Attorney, a copy of City Attorney's opinion No. 80-28, May 5, 1980 regarding Affirmative Action in Awarding Concessions at the San Francisco International Airport.

Director Mickins discussed this opinion, a full copy of which he is sending to each member of the HRC. He cited the difficulties the HRC has had over the past several years with Airports Commission Contracts to setting up a specific affirmation action program for the letting of concessions leases (exclusive of construction contracts). The HRC has long sought, unsuccessfully, to obtain an opinion from the Office of the City Attorney on its right to require a formal affirmative action component in contract bid and lease operations at the Airport. More recently, the President (Morris Bernstein) of the Airports Commission had requested an opinion, and Opinion No. 80-28 is the response. The HRC and Richard R. Heath, Director of Airports, have held, Mr. Mickins said, that if the City Charter does not permit the City to adopt a minority enterprise business program, then that lack should be corrected by amendment to the Charter.

Mr. Garibaldi's opinion, roughly, states that the Airports Commission may not "set aside certain concessions which will be awarded through competitive bidding exclusively to minority or women bidders." It cites many legal cases and interprets both the United States and California Constitutions.

- From The Council for Civic Unity, an invitation to its Annual Membership Dinner, honoring this year Leo T. McCarthy, Speaker of the California Assembly. The dinner will be Thursday, June 12, at Gresham Hall, Grace Cathedral. Reservations: 781-2033.

DIRECTOR'S REPORT

Status of Assembly Bill 2597

The HRC endorsed this measure, and, as noted in the Communications Section of these Minutes, the City of San Francisco also formally notified legislators of its support. It was heard in the Assembly Ways & Means Committee, placed in the Suspense File, subsequently sent to the Assembly floor, and (reported in a note delivered to Director Hickins at this HRC meeting) passed there by a vote of 60 to 10. Now it goes to the State Senate.

Proposed Amendments to Chapters 12B and 12C Regarding Handicapped.

See the Communications section of these Minutes for the letter from Clerk of the Board Gilbert Boreman requesting, on behalf of the Governmental Services Committee of the Board, substantial giving background information pertinent to the introduction of certain amendments to Chapters 12B and 12C relating to nondiscrimination protections for the handicapped.

Commissioner Mezey was asked to background this issue. She reported that Supervisor Harry Britt's office originally introduced, without prior consultation with or notice to the HRC, legislation that would amend the HRC ordinances (Chapters 12B and 12C of the Administrative Code). The HRC's Employment Committee did discuss (at its meetings in December of 1979) the proposed legislation in its first draft form and adopted some suggestions: that the term "handicapped" be changed to "disabled", as it now reads in the protected categories in Chapters 12A, 12B, and 12C, and as the HRC has learned was preferred by a wide majority of the disabled community; and what should be covered by the term "reasonable accommodations" as pertains to employer requirements.

Commissioner Mezey appeared before the Governmental Services Committee of the Board May 13, at which the proposed legislation was continued to June 10. She reviewed the suggestions cited above from the HRC Employment Committee, but without first being able to see the draft copy of the legislation from the City Attorney's Office. She commented that the Boreman letter was requesting information regarding State Department of Rehabilitation rules which it would be presumed would be the responsibility of the writers of the proposed legislation and, further, that the HRC suggestions about the first draft of the proposed legislation were not referred to. The HRC is concerned and needs to review the provision in the new draft of the proposed legislation requiring the HRC Director to make a Finding within sixty days, and the right of private complaint simultaneous with the filing of a complaint with the City, a condition inapplicable in employment discrimination cases.

Commissioner Mezey stated that these new concepts also had been introduced into the proposed legislation without the HRC's consultation, and reiterated she hoped that the proponents of the measure would be doing the backgrounding on it. She noted, however, that those whose rights are affected by this issue have suffered substantially because of their disabilities and because of negative attitudes of employers as to their employability. The HRC is, she said, fully in accord with the enhancement of the work rights of the disabled, but its only problem is that it was not consulted for input when the proposed legislation was drafted. It is necessary that the HRC look at the proposed legislation also in the practical sense of what it means to the workload capability of the HRC staff.

She noted that at the Governmental Services Committee some legislation proponents had criticized the apparent lack of public awareness of the coverage of "disabled" as a protected category.

Commissioner Mezey also pointed out that the HRC's original definition of "disabled" was made deliberately broad, but that the community favoring the proposed Britt legislation felt it was too broad and therefore difficult to pinpoint in applicability. Therefore in the new draft there is an attempt to spell out (based on federal guidelines) exactly what a disability is. The dilemma is that when a long list of specific categories of disability is made, then some could interpret protection only for those named.

- Director Mickins said he had just received a third draft of the proposed legislation to amend Chapters 12B and 12C, and he suggested that the Employment Committee again study it, with perhaps a public hearing in order to establish a position. The next Employment Committee meeting will be Thursday, June 5, at 870 Market Street, Room 920, at 9:30 A.M.

Status of HRC Budget Request for 1980-81.

The budget has been submitted to the Mayor's Office and Director Mickins reviewed briefly the procedural steps it now goes through (Comptroller's review, return to the Mayor's Office, etc.). The HRC's 90 per-cent-of-the-previous-year's-budget figure is around $380,000, and this depends on passage of Propositions O,P,Q,R, and S on the June ballot, and the hope that Proposition 9 will not pass state-wide (this is the proposition that would cut state income taxes by 50%).

STANDING COMMITTEES
EMPLOYMENT
David K. Yamakawa, Jr., Chairperson

- Purchasing Department Report-Contract Monitoring. - Ed Vurek.

Mr. Vurek, HRC Employment Representative, was introduced by Vicky Rathbone. He stated that the HRC's work in monitoring the contracts let by the City Purchasing Department began in 1979, then under Ms. Alberta Grant of the HRC Employment staff. He took over the responsibility when she left the staff for another position in the Fall of 1979.

Mr. Vurek used as a guide his five-page narrative report. Highlights of that report were:

1. The City Purchasing Department lets hundreds of contracts annually in the amount of some $150 million. These contracts are for goods and services such as automobiles, paper, business machines, uniforms, chemicals, repair services, etc.

2. Buyers in the City Purchasing Department send out bid requests (called contract proposals), the requests are published, bids are opened, and the lowest selected.

3. In January 1979, the HRC took a new approach to monitoring the City Purchasing Department which included some form of monitoring of all contracts over $50,000 and gathering information on the participation of minority business enterprises (MBE). An affirmative action memorandum and questionnaire now is included in all such contract proposals in addition to Chapter 12B.

4. The HRC has met frequently with the City Purchaser and his staff to resolve problems, including resistance by long-time bidders, out-bid (lower) local firms, and further clarification of Buyer obligations.

5. Development of a specific program to employ a Minority Business Development Coordinator attached to the Purchasing Department to develop minority business participation in the provision of supplies and services, with goals established by the HRC.

In the past year, Mr. Vurek said, minority businesses have received only 2.5% of the bids submitted on contract proposals in excess of $50,000. The dollar amount of contracts awarded to minority businesses is thus considerably lower than 1% of the total $150 million spent for supplies and services by the City.

The program would help in identifying minority businesses; bids will be screened for minority participation; contract performance will be followed up; records will be kept on minority business participation; and there will be dissemination of information on specific business opportunities in City and County supplies and services to organizations of minority businesses.

The goal for minority business participation in supplies and services for the calendar year 1980 is 25% of the total let by the City Purchasing Department. Mr. Vurek, questioned on this amount of increase (from the reported present less than 1%) by Commissioner Weiner, said that other jurisdictions had been able to significantly increase their minority participation by utilizing one or more of the HRC's program methods.

Further minority business development components include: Purchasing Department participation in the Bay Area Purchasing Council; departmental maintenance of a library of minority business directories and publications; written procedures for Buyers; examination of "dividing up"commodities or services; publishing contract proposals in minority papers, etc.

Mr. Vurek reported that the Chief Purchaser of the City is in agreement with this proposed program, which, of course, has to find outside funding. The U.S. Department of Commerce was a possibility, but currently it is evaluating present programs before resuming new funding.

After post-presentation discussion of the report, it was *****m/s/c that it be adopted,with the stipulation that HRC staff draft a goal for participation of women-owned businesses (in addition to minority-owned) in supplies and services, and, at the request of Commissioner Joan Zamora Moulton, that guidelines be devised to clarify how a minority, women-owned business will be categorized.

Copies of the full report by Mr. Vurek (Purchasing Department Report) can be obtained by contacting him at the HRC Offices.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Chairperson

- Letter Regarding "Charlie Chan" Movie and Community Protests.

Copies of a letter sent to the producer in Hollywood of a movie, "Charlie Chan and the Curse of the Dragon Queen," with copies to the Mayor,the two major dailies, Chinese for Affirmative

Action, and East/West newspaper were provided to the Commissioners.

It was explained that the issue had been brought formally to the Committee by a Chinese-American staff member on behalf of Chinese for Affirmative Action. The announcement in April that this movie, using a White actor as star, was to be filmed in Chinatown, led to wide media coverage of the protests from the Chinese community that the film as written perpetrated stereotypical, distorted, and insulting representations of Chinese people.

The letter stated, on behalf of the Committee, that the HRC historically has deplored the use of racial, ethnic, or sexual stereotypes, and urged that the shooting script be revised and upgraded to delete all such lines identified by the Chinese community as racially offensive. A full copy of the letter is attached to these Minutes.

- Proposed School/Community Patrol Officers Unit Plan.

Copies of this plan were mailed in the advance of this meeting. It was noted that the plan had been drafted by the Committee, and forwarded to Chief of Police Cornelius P. Murphy. It was discussed in detail with him in a meeting in his April 7, at which time he concurred with a number of its provisions. He in turn provided the Committee with a copy of his Crime Reduction in Schools Program (CRISP). The Committee has found many agreement points in the two plans, but would wish to have its plan as a means of continuing discussion on this issue, one of wide community concern. The Police Department has applied for a federal Law Enforcement Assistance Act (LEAA) Grant to fund it.

It was

*****m/s/c that the HRC adopt the School/Community Patrol Officers Unit Plan and forward it to Chief of Police Cornelius P. Murphy.

GAY ADVISORY
Phyllis Lyon
Chairperson

- Proposed Resolution Condemning CBS News for Irresponsible Journalism Regarding "Gay Power, Gay Politics" Documentary Film.

The Committee's document, Commissioner Lyon stated, follows closely the wording of a resolution that was introduced April 28, 1980 at the Board of Supervisors, and on a 9-2 vote (Kopp, Bardis), referred to the Community Services Committee. The action came in the wake of widespread San Francisco community negative reaction to a CBS News broadcast nationwide of a documentary film, called "Gay Power, Gay Politics", based on the emergence of Gay political power in the City as demonstrated allegedly in the November, 1979 mayoral election.

There were protests both before and after the film was aired.
There was considerable discussion about the wording of the proposed resolution, but no changes substantially in its original form and substance, in conjunction with proposed letters about the film to the Federal Communications Commission, and the National News Council, and letters to be sent to Supervisors Quentin Kopp

and John Bardis, who voted to refer the proposed Resolution Condemning CBS News for Irresponsible Journalism introduced by Supervisor Harry Britt at the Board of Supervisors on April 26 and subsequently sent to the Board's Community Services Committee.

In discussion of the proposed HRC resolution and the four letters, Commissioner Grafilo said he would wish to abstain from any vote because he had not seen the film (though he acknowledged that HRC rules prevent him from abstaining). Commissioners Weiner and Giles also said they had not seen the film.

Commissioner Lyon eventually announced that she would arrange a showing of "Gay Power, Gay Politics" at her office and that all Commissioners would be notified and invited to attend.

It was then

*****m/s/c that the HRC authorize that letters be sent to the National News Council and the Federal Communications Commission, and that letters urging a review of their vote to refer the Board of Supervisors resolution condemning CBS News for the film "Gay Power, Gay Politics", be sent to Supervisors John Bardis and Quentin Kopp.

And it was

*****m/s/c to adopt the Resolution Condemning CBS News for Irresponsible Journalism Regarding "Gay Power, Gay Politics" Documentary Film. The full text of this Resolution is attached to these Minutes.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- Committee Report.

As a followup to its May 8, 1980 report on its discussions with representatives of the Ad Hoc Committee to Save the Schools, and the San Francisco Association for Gifted, and hearing their estimations of the possible ill effects of a proposed cutback in public school class periods from six to five each day, the Committee invited representatives from the San Francisco Unified School District to its May 15 meeting to discuss the District's proposals.

Fred Leonard, Associate Superintendent, Instructional Support Division, and Thomas Sammon, Program Manager, Office of Instructional Material and Services, gave the Committee a detailed explanation of SFUSD proposals.

Mr. Leonard reported that, contrary to the prediction that reduction in class periods would prevent students from qualifying to enter the University of California, nothing would be cut from mandatory courses. He reported also that only 42% of the students at Lowell High School, reputedly the academic public high school in the City, choose to take six periods a day.

Commissioner Weiner interjected at this point that at a Board of Education meeting he attended recently a compromise plan had been adopted, setting 5.5 class periods a day to be offered in the next school year (1980-1981). He reported that 67% of the students at Wilson High School currently attend six periods daily.

Commissioner Giles said that the Committee learned that, however serious the projected deficit, and however serious some of the cutback measures may be, some of the dire predictions of cuts in educational quality and diversity were inaccurate.

Ms. Pegge Lacey, the School District's Legislative Liaison, has been invited to the next Committee meeting set for June 5 to discuss some legislative proposals that will have to be introduced at the state level to assist the local District in its budget crisis.

She said she felt that the HRC must be aware of the continuing importance of its assistance and support when the SFUSD may have to obtain state legislative relief for the educational system needs sure to come, particularly if Proposition 9 is passed in June.

At this point, Commissioner Mezey asked to be excused to attend a family luncheon in honor of her birthday. In her son's words; "Fifty years of service." In the HRC's word's "Six years of service to the HRC, and Happy Birthday".

NO NEW MATTERS

The next regular meeting of the HRC will be Thursday, June 12, 1980, at 9:15 A.M., in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, June 5, 1980 - 9:30 A.M. 870 Market Street - NOTE New Room: (920).
Gay Advisory	Tuesday, June 3, 1980 - Noon HRC Offices, 1095 Market St., Rm. 509.
Housing & Urban Development	To be announced.
Police Liaison/Social Issues	Wed., June 4, 1980 - 3:00 P.M. HRC Offices, 1095 Market St. #509.
Youth & Education	Thursday, June 5, 1980 - 3:30 P.M. Yerba Buena Senior Center 1111 Buchanan-Entrance: Golden Gate between Webster/Laguna Streets.

No Remarks from the Audience.

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC/ew

city and county of san francisco human rights commission

Attachment 1

May 15, 1980

Mr. Jerry Sherlock
6601 Romaine Street
Hollywood, Calif. 90038

Dear Mr. Sherlock:

The Police Liaison/Social Issues Committee of the Human Rights Commission of San Francisco at its regular meeting of May 7, 1980, discussed the concerns of the Chinese community about your production of a movie, "Charlie Chan and the Curse of the Dragon Queen," to be filmed in Chinatown.

We have received copies of a letter Mr. Henry Der, Executive Director of Chinese for Affirmative Action, wrote you on April 24, 1980, and of a general memorandum addressed to All Concerned Citizens issued by Mr. Der and Ms. Eliza Chan on April 23, 1980. A member of the HRC staff of Chinese ancestry also requested Committee discussion and action on this issue.

In the several weeks that community concerns about the production of this movie have been widely-publicized in San Francisco and meetings have been held between yourself and some representatives of the Chinese community, obviously a number of changes have occurred in the situation, some almost daily.

The Police Liaison/Social Issues Committee, mindful of the HRC's mandate to reduce community tensions, and of its historic position regarding the use of racial, ethnic, or sexual stereotypes that tend to demean, distort, or humiliate community members, wishes to go on record as deploring any media production that could do so. The Committee urges that you revise and upgrade your shooting script to delete the lines that the Chinese community has identified as racially offensive or stereotypical. We ask that you be mindful that non-Chinese persons may quite unconsciously use language patterns or references that are quite objectionable to Chinese people in seeing or hearing themselves depicted.

558 4901 Suite 501, 1095 Market St. San Francisco, Ca. 94103

We ask that you consider the casting from the point of perspective of White reaction to having Abraham Lincoln portrayed by an Asian American, when you have a Chinese detective portrayed by a White man, however skillful an actor, or however skillful the makeup.

The Committee is joined with all San Franciscans who urge that you and your production company display maximum sensitivity to the concerns of the Chinese people on this issue.

Sincerely,

Joan Zamora Moulton
Chairperson
Police Liaison/Social Issues

JZM/ew

cc: Henry Der, Executive Director
Chinese for Affirmative Action
Editor, East/West
Mayor Dianne Feinstein
John Molinari, President, Board of Supervisors
Editor, San Francisco Chronicle
Editor, San Francisco Examiner

CITY AND COUNTY OF SAN FRANCISCO

HUMAN RIGHTS COMMISSION
Office of Contract Compliance
Office of Dispute Resolution
1095 Market St., #501
San Francisco, Ca. 94103

Attachment 2

Resolution Condemning CBS News for Irresponsible Journalism
Regarding "Gay Power, Gay Politics" Documentary Film

Whereas, the CBS Television Network aired a news documentary entitled "Gay Power, Gay Politics" at 10 p.m., Saturday, April 26, 1980; and

Whereas, this alleged documentary claimed to present the actuality of Gay influence and practices relating to San Francisco's political structure; and

Whereas, "Gay Power, Gay Politics" instead conveyed distorted information pertaining to the behavior and attitudes of the Gay Community, which contributed to the perpetuation of stereotypes; and

Whereas, journalistic ethics direct that a documentary be objective in the presentation of the subject matter; and

Whereas, the program distorted the truth and further failed to cover the positive contributions the Gay community has made to the City, therefore slandering San Francisco and the Gay community before a national audience; and

Whereas, the tensions and disharmony created by the program's misrepresentation are in contradiction to the Human Rights Commission's responsibilities and energies as set forth in Chapter 12A of the City Administrative Code;

Now, Therefore, Be it resolved that the Human Rights Commission of San Francisco condemn the irresponsible journalism presented by CBS News; and

Be it further resolved that the Human Rights Commission support the action of the San Francisco Board of Supervisors in seeking redress through the National News Council and the Federal Communication Commission for an accurate representation of Gay lifestyles and politics in San Francisco.

Resolution 3-80
Adopted by HRC 5/22/80

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO
Minutes of the Meeting of June 12, 1980

NEST MEETING: THURSDAY
9:15 A.M. June 26, 1980
Commission Room, Third Floor
Main Library, Civic Center

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NOTE

See under Calendar Matters Section of these Minutes the schedule of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Samuel H. Chung, Sister Bernadette Giles, Antonio Grafilo, Robert D. Edwards, Pius S.C. Lee, Phyllis Lyon, Caryl Mezey, Joan Zamora Moulton, Stephen A. E. Stratton, Rabbi Martin S. Weiner, David K. Yamakawa, Brenda Wade.

Excused: Lia Belli, Clemente Obregón.

Former Commissioner Vernon Alley, who has resigned to accept appointment to the Art Commission, was present and recognized by the Chair. See Communications Section of these Minutes.

Staff

Present: Grant Mickins, Jack Casford, Stanley Lim, Joe Meza, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Ed Vurek.

Pledge of Allegiance

Minutes of the Meeting of May 22, 1980 approved.

COMMUNICATIONS

- From Raymond J. Balberan, Coordinator, Third World City-Wide Cable Task Force, a copy of a letter to Neil McHugh/Barrett Giorgis of VIACOM International (the firm that sells cable television service to residents of San Francisco), with copies as well to the Board of Supervisors and many ethnic community organizations, charging racial discrimination in the firm's hiring practices. This letter's concerns have been referred to the HRC staff person who monitors VIACOM for affirmative action compliance under its contract with the City.

- From Gloria Stewart, Education Director, State of West Virginia Human Rights Commission, submitting a copy of a report regarding employment opportunities for women and minorities in the West Virginia construction industry.

- From Margaret Maguire, Acting Clerk of the Board of Supervisors, the schedule of Finance Committee hearings on departmental budgets. See Director's Report.

- From Randall Okamura, Analyst, Youth for Service board member, requesting support for the Youth for Service to be refunded for its programs under the Comprehensive Employment Training Act contracts with the Mayor's Office of Employment and Training.

- From Charlie F. Paul, Director, California AFL-CIO Program for Offender Career Placement & Diversion, Inc., seeking endorsement for funding requests "to numerous sources."

- From former HRC Commissioner Vernon Alley, a formal letter of resignation from the HRC. Commissioner Alley has been appointed to the Art Commission. His resignation letter was read in full by Director Mickins.

- To Gilbert Boreman, Clerk of the Board of Supervisors, a detailed letter responding to his May 16, 1980 request (on behalf of the Board's Governmental Services Committee) for information regarding nondiscrimination protections provided the disabled in Chapter 12B and 12C of the Administrative Code. Director Mickins noted that he has been an ex officio member of the Employment Training Council, but that the Board of Supervisors has removed voting rights from ex officio members, removing him from any effective input beyond comment and observation.

- From Edward J. Daly, President and Chairman of the Board, World Airways, Inc., a copy of a June 9, 1980 letter he sent to Arthur Lazare, President, Golden Gate Business Association with copy to HRC and two out-of-state business associations, as well as a catering company, responding to letters protesting his use of the word "queer" in an October 18, 1979 memorandum sent to World Airways employees during a labor dispute/strike taking place at that time against the airline company.

The HRC's Gay Advisory Committee had brought this issue before the HRC on April 10, 1980. It had been contacted by Mr. Lazare. The Committee wrote to Mr. Daly requesting a retraction of his comments as they pertain to Gaypeople. In his June 9, 1980 response to Mr. Lazare, Mr. Daly (whose letter was read in full to the HRC at this meeting) said it was not his intent to use the word "queer" to refer to homosexuals or gays, and that he was sorry it was so construed. He said the word also is defined as "counterfeit" or "suspicious". Mr. Daly stated that he felt he had made it "...perfectly clear that neither World Airways nor I had ever or will ever discriminate against anyone on any basis, including their sexual orientation."

- From Linda T. Fries, Coalition to Save the Lucinda Weeks School Site for Community Use, asking for a letter of endorsement (to the Planning Commission) for the Coalition's opposition to granting the School District's zoning change request, which would permit demolition of the Lucinda Weeks school. The Coalition is seeking to have it converted into a neighborhood community center. This request was referred to the Youth & Education Committee.

DIRECTOR'S REPORT

- HRC Budget for Fiscal 1980.

The HRC has been recommended by the Mayor's Office for approximately $380,000. Although all of the June 3 ballot City propositions the Mayor deemed essential to help cover City expenses did not receive two-thirds majority votes for passage (two are being legally appealed to the courts), there still would be an estimated $14 to $17 million deficit in the next fiscal year. The HRC will have essentially the same budget, even though it has lost an assigned clerk-stenographer staff person (which had been granted under the Office of Revenue Sharing allocation to the HRC).

Office of Community Development. The HRC has received a second year of funding in the amount of $65,000, $25,000 of which is for affirmative action in community development contracts, and $40,000 to fund two professional and one clerical staff to conduct a housing complaints and counseling service called the Fair Housing Program.

Mr. Mickins announced that Matthew Cohen, a recent HRC interne has joined the project as a full-time Fair Housing Specialist. Don Hesse is the Coordinator of the program.

The Fair Housing Program is working out an arrangement with Operation Sentinel (a fair housing group on the Peninsula) to conduct housing discrimination audits in the City.

Wastewater Program. The HRC has requested for $98,000 to implement affirmative action for these contracts, and Director Mickins has been notified by Wastewater officials that final approval is being completed.

San Francisco International Airport. The HRC has been granted $57,000 to implement affirmative action with contractors and leasees at the Airport. Ms Lydia San Filippo, an HRC Contract Compliance Officer, is based permanently at the Airport. The funding also provides for a counterpart worker at the HRC office, plus clerical support.

Chief Administrative Officer. The HRC has been granted $28,000 for its affirmative action work with contractors at the George R. Moscone Center project in downtown San Francisco.

Director Mickins said he feels that the HRC has "turned the corner" in its policy of obtaining affirmative action service funding from the programs and project user rather than from the City's General Fund. He said that the HRC will be seeking such support from the Port Commission, which annually has some 1,000 leasees.

- Commissioners were reminded that the Finance Committee of the Board of Supervisors will hear departmental presentations on the HRC ad valorem budget from 1 to 5 P.M. on Friday, June 27, and public presentations from 7 to 9 P.M., Room 227, City Hall.

Commission on the Status of Women. Mayor Feinstein has informed Director Mickins that her 1980-81 budget will place the COSW staff for management/supervision purposes under the HRC. This would require, Mr. Mickins said, some amendments in the HRC's enabling ordinance, Chapter 12A of the Administrative Code, under the Powers and Duties section, and the description of the functions of the HRC Director. It was reported that the Mayor already has discussed her plans with the members of the COSW.

Commissioner Moulton expressed concern over the possible ramifications of bringing the COSW into a joint relationship with the HRC.

Commissioner Lyon noted that the Mayor's intent was seen as a budget-cutting move, whereby the staff of the COSW would possibly be cut, while retaining the full membership of the COSW as a separate body.

Commissioner Mezey commented that since the Mayor had been invited to speak to the HRC (and Chairperson Morrissey said the invitation had been made again, informally) that this might be a pivotal subject for her to discuss when she speaks to the HRC.

- California Association of Human Rights Organizations (CAHRO) Annual Conference.

Director Mickins attended this annual event June 5 through 7 in Oxnard, California. He said that the agenda and workshops were most interesting and informative, particularly in seeing the contrasting priorities that exist regionally in human rights commissions' work. For example, at the conference there was considerable discussion in southern California about the seeming increase of pressure and incidents relative to so-called "hate groups" and gang violence. There were also particularly interesting workshops on Gay rights activities by state human rights commissions. The former state Fair Employment Practices Commission (now called the Department of Fair Employment and Housing) was represented by a sizeable delegation, and expressed the desire to make close linkups with local human rights commissions.

- Assembly Bill 2597. This was the primary planning objective at the CAHRO Conference. Assemblywoman Gwen Moore, the sponsor of this bill to grant modest state funding to local human rights comm's a bill the HRC has endorsed and on behalf of which Director Mickins has testified in Sacramento, gave the current status. The bill was passed in the Assembly and was to be June 10 before the Senate's Local Government Committee, chaired by San Francisco Senator Milton Marks. It was expected to pass that committee and go on to the Senate Finance Committee, where its predecessor was killed in 1979.

- City Charter Revision. The second draft proposal to revise the City Charter to come from the San Francisco Charter Commission was published June 11. Director Mickins read in full the section proposed that would define and grant powers and duties to the HRC (Section 4.104. The HRC's officers and Director already have appeared before the Charter Commission on the HRC's behalf.

*****Chairperson Morrissey formally asked Commissioner Yamakawa to continue to act on behalf of the HRC in representing its concerns about those sections affecting it in the proposed Charter, and to report back to it.

Director Mickins noted that many community groups have made known their desire that the HRC be designated specifically in the City Charter.

- Minority Business Enterprise/Women Business Enterprise (MBE/WBE) Seminar.

Lydia San Filippo, assisted by Gail Roberts, has been planning this seminar, which will be held Wednesday, June 18, 1980 from 9:30 A.M. to 12:30 P.M. in the third-floor Banquet Room of the Central Terminal, San Francisco International Airport. The HRC and the San Francisco Airports Commission are co-sponsoring the event. The seminar is aimed at domonstrating to minority and women vendors how to avail themselves of procurement opportunities for leases and contracts at the Airport. It seeks to acquaint business seekers with procurement needs and processes of the larger firms doing business at the Airport, promote use of minority and women vendors by the Airports Commission, and acquaint the Airport business community with local minority and women vendors.

Further information can be obtained by calling Ms. Lydia San Filippo at 876-2303, at the Airport.

- North Point Pier, Inc. Hearing. Commissioners were reminded that the HRC has scheduled Tuesday, August 5, and Thursday, August 7 beginning at 9 A.M. in the Main Library Commission Room, for the new hearings on the Appeal of North Point Pier, Inc. of a Director's Findings of Noncompliance more than a year ago. Staff and the Director have met with the firm's attorney regarding settlement details, but at this point there is no certainty that a settlement can

be effected without the hearings. Chairperson Morrissey informed new Commissioner briefly of the background of this Appeal and reminded all that their presence in August was essential.

EMPLOYMENT

David K. Yamakawa Jr., Chairperson

- Report on Uniform Racial/Ethnic Designation Categories for HRC - Mary Gin Starkweather, HRC Employment Compliance Specialist.

Commissioner Yamakawa gave a brief background on the HRC staff and Employment Committee level of study and action on the issue of establishing uniform ethnic/racial designations for use by the HRC in its affirmative action reporting work in employment. He noted that the HRC's report on its efforts to obtain workforce breakdowns for monitoring affirmative action with banks and savings and loans in January led into discussions on the need for a uniform racial/ethnic category designation policy for use by all HRC employment staff.

Ms. Starkweather gave the highlights of a three-page written report (with sample U.S. Department of Labor and HRC workforce breakdown report forms now in use) provided each Commissioner.

From that report:

This report is in response to a need expressed by the Human Rights Commission staff and City contractors for a uniform method of categorizing racial/ethnic minorities for purposes of reporting workforce breakdown (employers) and setting goals and timetables (the HRC).

Staff has consulted with several sources on the federal, State and City levels. All three jurisdictions are in conformity with the federal Equal Employment Opportunity Commission with the exception of a separate Filipino category on the State and City levels.

According to the federal Equal Employment Opportunity Commission From 164, State and Local Government Information Instruction Booklet, the following racial/ethnic categories are used in its monitoring forms:

a. The category "White" (not of Hispanic origin):

   All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

b. The category "Black" (not of Hispanic Origin):

   All persons having origins in any of the Black racial groups of Africa.

c. The category "Hispanic": All persons of Mexican, Puerto Rican, Cuban, Central or other Spanish culture or origin, regardless of race.

d. The Category "Asian or Pacific Islanders": All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.

e. The category "American Indian or Alaskan Native": All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

NOTE:The category HISPANIC, while not a race identification, is included as a separate race/ethnic category because of the employment discrimination often encountered by this group; for this reason HISPANIC is not included under either "White" or "Black".

The concept of race as used by the Equal Employment Opportunity Commission does not denote clearcut scientific definitions of anthropological orgins. An employee may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one race/ethnic category.

Staff met with Marc Brenman, Branch Manager of the Office of Civil Rights, San Francisco. Mr. Brenman noted that while only five racial/ethnic categories are used on the standard Federal monitoring forms, a contractor can be asked to further break down the workforce by nationality "if necessary". For example, if a Chinese employee alleges discrimination, O.C.R. can ask for a more detailed report specifically breaking out Chinese employees from the Asian category to help determine if discrimination has indeed taken place.

The Office of Federal Contract Compliance Programs (Dept. of Labor) uses identical designations in its monitoring forms.

The State designations are identical to the federal designations except that California Law (Gov't. Code Sec. 11092) requires State agencies, which tabulate ethnic data, to identify Filipino as a specific ethnic group. Before enactment of this law in 1974, Filipinos were included in the Asian or Pacific Islander category. Filipino is defined as "Persons having origins in any of the original peoples of the Philippine Islands".

In September, 1978, the California Apprenticeship Council (a division of the State Department of Industrial Relations) held public hearings regarding the proposed change of Cal-Plan's racial/ethnic breakdown to conform with the federal designations and the federal designations were adopted.

The City and County of San Francisco Civil Service Commission's racial/ethnic designations are identical to the State designations.

Staff spoke with Ms. Dorothy Yee, Associate Affirmative Action Officer of the Civil Service Commission staff, who stated that three years ago, Chinese, Japanese, Korean, and all other Asian and Pacific Islanders (except Filipino) were combined into one category. Staff asked if there had been any repercussions from any of the Asian, especially Chinese communities, regarding the combination. Ms. Yee explained that, when notified of the impending action, Chinese for Affirmative Action expressed their preference to be counted separately, but did not offer resistance to the all-inclusive "Asian or Pacific Islander" category.

A designated system which has been used on occasion by the then Department of Health, Education and Welfare is to establish a minority population percentage. Any racial/ethnic groups below that percentage (usually five percent) are not separately identified.

The San Francisco School District has complied with any group which has requested that it be counted separately. Ms. Starkweather than listed the opinion from which the HRC could choose:

A. American Indian/Alaskan Native, Asian or Pacific Islander, Black, Filipino, Hispanic, White. This is the breakdown used by the State of California agencies and the San Francisco Civil Service Commission.

B. American Indian/Alaskan Native, Black, Chinese, Japanese Filipino, Hispanic, Other Asian or Pacific Islander, White. This reflects the Asian nationalities more specifically.

C. If breakdown were contingent on five percent of the City's population, the result would be: American Indian/Alaskan * Native. Black, Chinese, Filipino, Hispanic, Other Asian and Pacific Islander, White. *American Indian/Alaskan Native is under five percent: however, it has always been recognized historically as a separate category.

D. The San Francisco School District designations are: Spanish Surname, Other White, Black, Chinese, Japanese, Korean, American Indian, Filipino, Other Non-White, Unknown. The School District is the only place staff knows of, that uses these particular categories. This breakdown is used for counting both employees and students.

At the conclusion of Ms. Starkweather's report, there were numerous questions and comments from the members of the Commission.

Commissioner Stratton asked why "disabled" (or "handicapped" as is sometimes used) is not included in the options of racial/ethnic categories for workforce reporting.

Ms. Starkweather said that she is working with Supervisor Harry Britt's office at the moment on an amendment to be proposed for the HRC's enabling ordinances in the Administrative Code taken from Sections 503 and 504 of the federal rules and regulations that will more clearly state the need for the disabled to be included in employment affirmative action coverage. It is expected that this proposed amendment will be introduced in July. At the present time, she said, HRC staff does not have adequate data on the disabled (as far as their current employment participation status) to set up goals and timetables. In the most recent questionnaire sent to banks and savings and loan firms by Ms. Starkweather, she said, she included a question asking for the number of disabled persons on their staff. She hopes to use this information to set up goals and timetables. Federal regulations also have certain exemptions, she said, such as: noninclusion of firms with fewer than fifteen employees; or firms with contracts under $2,500. A difficulty has been in the area of self-identification by employees as disabled, with the definitions of disability running all the way from paraplegics to post-operative patients and those with back problems.

Director Mickins noted that the HRC's affirmative action requirements covers race and sex only and do not include disabled, whereas its nondiscrimination categories do. The Governmental Service Committee of the Board of Supervisors met June 10 to further promulgate provisions on what references to disabled coverage should be in the HRC ordinances. The HRC had been asked to provide information on such aspects as what is meant by "reasonable accomodation" to be required of employers. The San Francisco Chamber of Commerce and the Associated General Contractors have been asked to give their opinions/positions on the matter.

Commissioner Moulton spoke of the concerns of some members of the Chicano population being categorized under the Hispanic term particularly in the Southwest United States.

Commissioner Lee stated his feeling that Chinese should be designated separately in San Francisco.

Staff Recommendation on the HRC's Racial/Ethnic Designation Categories - Vicky Rathbone, Contract Compliance Officer.

This is her report verbatim:

Staff recommends the adoption of the racial/ethnic categories and the definition of persons belonging in those categories used by the State of California.

The reasons for this recommendation are as follows:

1.) Chapter 12B.2 (f) (9) states that "The Human Rights Commission shall promulgate rules and regulations.....and such rules and regulations shall so far as is practicable, be similar to those adopted in applicable Federal executive orders."

The Office of Federal Contract Compliance Programs, which monitors compliance with Executive Order 11246, uses the same racial/ethnic designations as the State of California, except that Filipinos are not counted separately. Staff recommends inclusion of a separate category for Filipinos because this is a requirement of State Law (Government Code Section 11092.

2.) Section 1431 of the State Labor Code states that a federally or State approved affirmative action program "shall constitute prima facie compliance with an ordinance or regulation of any City, City and County or County which requires an employer to submit such a program to a local awarding agency for its approval prior to becoming a contractor or subcontractor with such agency." The HRC will undoubtedly be accepting an increasing number of federal and State programs as meeting at least part of local requirements. These will use federal and State racial/ethnic designations. This closer relationship with federal and State programs indicates a need for uniformity in racial/ethnic categories.

It should be noted that Section 1431 does not preclude the HRC from making additional requirements above those of the federal or State program. It merely shifts the burden of proof to the local agency to demonstrate that the federal or State program does not meet local standards. Therefore, if the HRC needed information on racial or ethnic groups not individually listed (e.g. Chinese) because of a complaint or the specifics of an individual industry, it would be within its jurisdiction to require this additional information.

3.) Many contractors to the City and County are large firms that have computerized their procedures for reporting affirmative action data to federal and State government. When our requirements do not correspond with federal and State requirements, we involve these firms in the expenditure of a great deal of time and expense either adopting the computer program or doing a separate head count. In many cases, HRC staff is not called on to use this additional information. For example, in 4 years of working with design consultants, there has been no request for separate information from the Chinese and Japanese communities nor a complaint specific to one of these communities. To the contrary, Chinese and Japanese design consultants work together in an umbrella group called Asian American Architects. It is doubtful whether it is worth burdening an employer with an additional layer of bureaucracy by requiring an additional breakdown unless it is really needed. The tenor of the times is to streamline government. Again, if the HRC needs additional information not on the computer print-out, it can, by law, require it.

At the conclusion of Ms. Rathbone's report/recommendation from the Employment Committee, Commissioner Yamakawa described debate at the Committee level on the options to recommend. After some discussion regarding the breakdown of the Asian/Pacific Islander category into Chinese, Japanese, Korean, etc., he said, the vote in Committee to recommend that the HRC adopt as policy Option A (or American Indian/Alaskan Native, Asian or Pacific Islander, Black Filipino, Hispanic, White) was 6 in favor, 4 opposed, 1 abstaining.

Ms. Rathbone had stated that there is heavy employer resistance to reporting more detailed workforce breakdowns over and above those called for in federal and state regulations. This resistance is due to the fact that many employers already have computerized records of their personnel under certain categories and it is very expensive to re-program and/or obtain specialized information; conversely, clerical headcounts of large working staffs is also very time-consuming and expensive. She said that, under State Labor Code Section 1431, if the HRC demonstrate a need for a specialized additional kind of employee identification, it has the legal right to get it. Such proof of need would be, for example, a community group that wished to know its participation in any given industry or job category.

With Commissioners Yamakawa's motion that Option A (categories given above) be adopted as the uniform HRC racial/ethnic designation categories, there began a long and detailed discussion of all four optional designation categories by member of the HRC.

- Mr. Amada Cabezas, Director of Human Services for Asian, Inc., who had not been able to make a presentation at the Employment Committee, was granted time to address the HRC. Using documentation in the form of sample racial/ethnic designation forms from the U.S. Bureau of the Census, the U.S. Commission on Civil Rights, the State of Hawaii, the State Department of Finance, the City Department of Public Health, the San Francisco Unified School District, and the Comprehensive Employment and Training Act program,....all showing that the Asian Pacific Islanders category is broken down to designate Chinese, Japanese, Filipino, Korean, Vietnamese, sometimes Samoan, and others separately, he urged that the HRC not follow the Employment Committee recommendation to adopt Option A. He said that the HRC should not "blur" the distinctions between Asian communities in the City.

*****Commissioner Lee then reiterated that the Chinese category should be listed separately locally, and moved that Option B be adopted (one showing Chinese and Japanese separately, as well as Filipino). The Chair ruled this motion out of order.

It was then

*****moved to appeal (and first vote on Option B) the Chair's rule that Lee's motion was out of order (to adopt Option B). There was one No vote.

Commissioner Chung then asked Commissioner Lee, and obtained his approval, to add "Korean" as a category to Option B.

At Commissioner Weiner's request, the following staff members stated that they had never received a request from any Asian group for information resulting from separate designations.

Vicky Rathbone---contract compliance for design consultants.
Mary Gin Starkweather---contract compliance for banks.
Stanley Lim---contract compliance for construction industry.

Ms. Starkweather stated that the banking industry had combined in a joint legal challenge to the HRC's detailed workforce breakdown requests, and that as a consequence her entire monitoring work had come to a halt on the conflict over the breakdown for the Asian category. She said she had never had an individual (intra-ethnic) complaint of discrimination by an Asian person.

Commissioner Mezey asked how Option B (the slightly expanded category list including Chinese and Japanese separately) would affect staff work on setting goals and timetables. Ms. Rathbone responded that this had been discussed at some length at the Committee level, and that the consensus was that with detailed breakdowns set as policy there would be a tendency for the goals to reflect the detailed breakdown. She mentioned that the Employment Committee had raised the possibility of requests to come to separate, for example, Black Americans from Black Africans, or to separate the Hispanic category in to many different nationalities or regions, for example, and that the question of where to stop had been raised.

Ms. Starkweather said that it was felt that the fractionalization of the Asian category might lead to a detrimental effect ultimately, where some groups, such as the Japanese, with less than five percent of the total City population, might not be included. She also said it would delay implementation of agreements for goals and timetables if the HRC had to consider the proportionate share of many small groups, coming out with such designations as one-fourth of one Korean person, for example.

Commissioner Grafilo said that he favored a more-detailed workforce breakdown. He said that employers will conform only to what is written in an agreement, and that expanded categories provided protection against any group being discriminated against or passed over in employment representation.

Commissioner Chung concurred in this opinion.

Director Hickins was asked for his comment by the Chair. He said that he spoke only because he felt that no other single issue has so impaired the HRC's ability to effect affirmative action as the lack of a clear-cut, uniform policy on racial/ethnic designations. He stated that he and the HRC staff are faced with endless negotiation demands by contractors on the grounds that the HRC's detailed workforce breakdown requests are inconsistent with federal and State regulations. He stated that many companies already have computerized personnel records, and noted that the HRC is presently months into a complete legal resistance effort by all downtown banks on this issue. The State's new Fair Employment and Housing Department is setting up its own Office of Contract Compliance to cover all State contracts, he said.

He stressed that if there is a need for any information for any particular designated group, the HRC is in a position to get this information independently.

As it stands, he said, the HRC can expect a long period of litigation and an adversary position vis-a-vis its work in trying to effect affirmative action in employment with these sectors.

More than half of the City's contractors, he said, have offices based in other states, where population figures have no bearing on local proportions. He estimated that only 30 to 35% of the City contractors are based locally.

It was then

*****m/s/c that the HRC adopt Option B (with the addition of the category "Korean") Commissioner Lee's vote was Yes the only one cast for it. The motion was defeated.

It was then (after a statement in opposition by Commissioner Grafilo)

*****m/s/c that the HRC adopt Option A as its uniform Racial/Ethnic Designation Categories for use by the HRC in monitoring City contractors for compliance in affirmative action in employment. This was a voice vote. Commissioners Grafilo and Lee asked that their No votes be recorded.

*****Commissioner Moulton said that there is a need for a clear definition of what is meant by Hispanic. This was referred to the Employment Committee.

- Commissioner Lee asked if the Designation Categories issue could not be postponed to the June 26 meeting of the HRC and was told by Commissioner Yamakawa that there was urgency on the part of staff to have a uniform reporting category to work woth due to the backlog in affirmative action contract compliance.

- Employment Committee Future Work.

The Committee is in the process of identifying issues it will be taking up between now and the end of its term in March of 1981. Suggestions for agenda items may be given to the Chair or Director Hickins.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Letter Supporting Resolution by State Senator Milton Marks re: Removing Ban on Alien Homosexuals.

This item was postponed to the June 26 meeting of the HRC.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- Reduction by the San Francisco Unified School District: Proposals for class periods in Middle and High Schools for 1980-81 - Fred Leonard, Jr., Associate Superintendent, Instructional Support Division, SFUSD.

This report by Mr. Leonard was postponed.

NEW MATTERS

- Vandalism at Theater Showing "Birth of a Nation" Film.

On June 10 in San Francisco it was reported that a number of demonstrators forced their way into the Richelieu Cinema and vandalized the theater during a showing of "Birth of a Nation." Leaflets reportedly were passed out by the demonstrators identifying themselves as members of an organization called International Committee Against Racism.

*****Commissioner Weiner expressed concern about the incident, and consideration of it was referred to the Police Liaison/Social Issues Committee.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, June 26, 1980, at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center. There will be one meeting in July, on July 17, and one in August, on August 14.

STANDING COMMITTEES

Employment	Thursday, July 3, 1980-9:30 A.M. 870 Market Street - Room 920
Gay Advisory	Tuesday, July 1, 1980 - Noon HRC Offices, 1095 Market, Room 509.
Housing & Urban Development	To be announced.
Police Liaison/Social Issues	Wednesday, July 30, 1980 - 3 P.M. HRC Offices, 1095 Market, Room 509.
Youth & Education	Thursday, August 7, 1980 - 3:30 P.M. Yerba Buena Senior Center 1111 Buchanan. Entrance: Golden Gate between Webster/Laguna Streets.

No Remarks from the Audience.

Adjournment.

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC/cw

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of June 26, 1980

DOCUMENTS DEPT.

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NEXT MEETING:	Thursday
	July 17, 1980
	9:15 A.M.
	Commission Room-Third Floor
	Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings.

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Samuel H. Chung, Robert Edwards, Phyllis Lyon, Caryl Mezey, Clemente Obregón, Stephen Stratton, Brenda Wade, David Yamakawa.

Excused: Lia Belli, Antonio Grafilo, Pius Lee, Sister Bernadette Giles, Joan Zamora Moulton, Rabbi Martin Weiner.

Staff: Grant Mickins, Frank Anderson, Jack Casford, Lloyd Cowan, Joseph Meza, Vicky Rathbone, Gail Roberts, Mary Gin Starkweather, Essie Thomas, Ed Vurek.

Pledge of Allegiance

Minutes of the Meeting of June 12, 1980 approved.

- Chairperson Morrissey announced the following Standing Committee appointments:

To the Youth & Education Committee: Commissioners Wade and Weiner (Weiner Co-Chairperson).

To the Employment Committee: Commissioners Edwards (Edwards as Co-Chairperson) and Chung.

To the Police Liaison/Social Issues Committee: Commissioners Edwards and Stratton.

To the Gay Advisory Committee: Commissioner Stratton.

To the Housing Committee: Commissioner Chung (Co-Chairperson).

COMMUNICATIONS

- From John J. Walsh, General Manager, Personnel, Civil Service Commission, a memorandum sent June 12, 1980 to all Departmental Personnel Officers on employee lay-off recommendations, and including Lay-Off and Involuntary Leave Procedures (Reduction in Force) and other forms. Mr. Mickins discussed the details of this memorandum.

- From Anne Caverhill, Researcher, Human Rights Commission of New Brunswick, seeking information about California state legislation concerning the disabled.

- From Donald J. Garibaldi, of the City Attorney's Office, Airports General Counsel, a copy of a Memorandum responding to a Memorandum of April 28 from Emmett Smith, Assistant Deputy Director, San Francisco International Airport. Mr. Smith had requested counsel as to the legality of various components of the Project to Promote Minority Participation in Concessions (leases) at San Francisco International Airport. The Garibaldi Memorandum was read in full, and Mr. Mickins discussed it.

- From Supervisor Quentin L. Kopp, requesting HRC response to a letter dated June 4, 1980 from Pastor Charles McIlhenny asking for documentation respecting the findings of the Board of Supervisors concerning the prohibition against "sexual orientation" discrimination. Pastor McIlhenny asks for evidence of the findings of a substantial threat to the "health, safety, and general welfare" of the community. The letter in question is being studied by the Gay Advisory Committee of the HRC preparatory to making a response to Supervisor Kopp.

- From Raymond J. Balberan, Coordinator, Third World City-Wide Cable Task Force, a copy (sent also to some fourteen ethnic community groups) of a letter sent to the officers of VIACOM International, expressing appreciation for the company's response to the recommendation that an Hispanic man be named as a manager. Essie Thomas of the HRC staff announced that she would be making a report on VIACOM International and its employment affirmative action status in the near future.

- From Albert Cheng, Affirmative Action Officer, San Francisco Unified School District, thanking Gail Roberts of the HRC staff for her service on the Affirmative Action Review Committee.

DIRECTOR'S REPORT

- HRC Hearing Before Finance Committee. (Budget Discussion Below).

The HRC is scheduled to appear to discuss its 1980-1981 budget before the Board of Supervisors' Finance Committee Friday, June 27, at 1 P.M. in Room 228 of the City Hall.

- Commission on the Status of Women.

Director Mickins read from the Mayor's Budget message of June 12, 1980 to the Board of Supervisors announcing that she was transferring the Commission on the Status of Women to the HRC. The Mayor has deleted two professional staff positions at the COSW (Director and Assistant Director). The COSW will share office space (including the conference room) and reproduction/mail room facilities at the HRC offices, and its staff will be supervised by the HRC Director.

Director Mickins met recently with members of the COSW to discuss the transfer. One permanent Civil Service clerk-stenographer will remain from the COSW original staff. A CETA staff aide and clerk also have been part of the COSW staff. The costs of office operations used by the COSW at the HRC will be pro-rated. Mr. Mickins reported that the COSW representatives were cooperative with these arrangements and could work within the facilities the HRC will provide.

- HRC Budget 1980-1981.

The HRC's budget currently is under review by the office of Harvey Rose, the Board of Supervisors' Budget Analyst.

The HRC budget has been set by the Rose staff currently at the amount of $370,801, which is $22,825 less than the amount needed to retain the present permanent Civil Service staff as funded by ad valorem taxes. The HRC earlier had met with the Mayor and a total recommended budget figure of $397,073 had been agreed upon. Instead of $275,447 for personnel, the present total figure is $252,000. The HRC's 1979-1980 budget totaled $419,648. The HRC this year in the budget discussions had conceded that it would lose one fulltime, permanent Civil Service position, a Housing Representative (Class 2998).

Fortunately, the incumbent in that position, Donald Hesse, became the professional staff supervising the Fair Housing Program under a $40,000 grant (also including clerical help and an assistant) from the Office of Community Development. Director Mickins expressed great dismay that what he termed a "gross clerical error" had resulted in the present status of the HRC recommended 1980-1981 budget. He said that the immediate need was to ask that the Mayor's Office correct this error, wherever and however it occurred. It is clear, Director Mickins said, that the Mayor's Office did not intend this $22,825 shortfall, which would require the HRC to sharply curtail its operations and staff responsibilities.

- Inter-group Clearinghouse - Creation of Steering Committee.

In August of 1979, in response to a request from Mayor Feinstein, the HRC called together a group of citizens concerned with inter-group tensions in the City to review certain incidents of hostility and bigotry stemming from confrontations between some Black representatives of the Western Addition and some Jewish members of the Redevelopment Agency. At that time the Mayor also was concerned about confrontations between members of the Gay community and Black and Hispanic communities. Four meetings were held and a report was submitted to the Mayor.

Out of that group there was formed the Inter-group Clearinghouse, seen as a separate entity, functioning independent of, but closely related to, the HRC, in order to be able to speak forcefully and swiftly, on short notice, to critical inter-group issues.

A Steering Committee, with two representatives each from Hispanic, Black, Asian, religious, Jewish, Gay, youth, and Other (Native American Indian, for example) community groups, has been proposed. A letter inviting participation has been sent to 23 persons, and Joseph Meza, HRC staff for the Clearinghouse, said about half have responded to date, largely favorable.

Also proposed to work with the Steering Committee is an Advisory group of six, with Mr. Meza as staff.

Director Mickins said that the Mayor was vitally interested in the Clearinghouse formation and action, and that she has named her deputy Hadley Roff as liaison to it.

The Mayor had received a letter from Benjamin Hook, Executive Director of the National Association for the Advancement of Colored People, asking mayors of major American cities what steps are being taken to prevent duplications of racial disruptions such as took place in Miami in April/May of this year.

The Gay Advisory Committee of the HRC has been meeting for the past two months regarding acts of violence between Gay and Hispanic communities. A community meeting set for June 23 to discuss this issue was cancelled, however, and the groups have agreed to work through the Inter-group Clearinghouse on the matter.

Mr. Mickins read in full the letter he wrote June 20, 1980 to all proposed members of the Steering Committee and Advisory Group. A copy was provided each of the Commissioners. It is attached to these Minutes.

The Inter-group Clearinghouse Steering Committee and Advisory group will meet in July with the Mayor.

- Affirmative Action at the Airport Seminar.

A seminar for minority-and women-owned businesses to learn of procurement opportunities with firms doing business at San Francisco International Airport was held June 18. It was co-sponsored by the HRC and the San Francisco Airports Commission. Some sixty persons attended, and the seminar was viewed as highly successful in acquainting both the Airport business community and local minority and women vendors with mutual opportunities. Tentative plans are being made for a followup trade conference.

STANDING COMMITTEES

Employment
David K. Yamakawa Jr., Chairperson
Robert D. Edwards, Co-Chairperson

- Compliance Agreement (ORS) Implementation by HRC - Frank Anderson.

Mr. Anderson reviewed the background of the Compliance Agreement. In 1977, Latinos for Affirmative Action filed a formal complaint with the federal Office of Revenue Sharing, charging that the City and County of San Francisco was discriminatory in its employment practices, particularly as regards Hispanics. ORS investigated extensively in City government, and found the City in noncompliance. The administration of the late Mayor George Moscone began negotiations to work out a compliance agreement. That work was carried on by Mayor Feinstein when she took office following Mayor Moscone's murder. The City receives some $20 million annually in federal revenue sharing funds.

The final Compliance Agreement was signed in June of 1979. The HRC will be the monitoring agency to obtain compliance by all City departments. Mr. Anderson is the professional on the HRC staff coordinating this work; the clerical position it was granted subsequently was lost. The HRC is obligated to:

1. Provide technical assistance to each City department required to design and implement its own affirmative action employment program.

2. Be represented on a new employee employment complaint panel to be established in the near future.

3. Monitor and evaluate various City departmental plans.

In the past six months, Mr. Anderson said, he has met with some 30 department heads to explain what is required under the compliance agreement in the setting up of affirmative action employment plans. It said there had been general cooperation and agreement, even given the pressures of budget-preparation work, and the fact that most departments are actually losing job slots. Mr. Anderson has some 15 more departments with which to meet.

The departmental plans are to be completed by September, 1980. The HRC and the Civil Service Commission must certify each plan, and each must be reviewed by the City Attorney's Office for compliance with federal, State, and local regulations.

- Women-Owned Business Participation Goals for Purchasing Department - Edward Vurek.

Mr. Vurek's May 22, 1980 report on contract monitoring of the Purchasing Department referred only to minority-owned businesses, and the HRC, in its discussion of that report, adopted it with the request that HRC staff draft a goal for participation of women-owned businesses in supplies and services. Mr. Vurek noted that his May 22 report had been prepared for presentation to the U.S. Department of Commerce, which does not include women-owned businesses separately in its minority-owned goals.

The Employment Committee originally had voted to include women in its minority-owned goals (25%).

However, on referral back from the HRC May 22 meeting, the Committee did concur and voted to set the following goals:

minority-owned businesses --25%

women-owned businesses-------5%

The lower figure for women-owned businesses was set, Mr. Vurek said, as a reasonable initial figure that can be adjusted up or down as more information is obtained on the number of women-owned businesses seeking contracts with the City.

Chairperson Morrissey and Mr. Vurek shared a dialogue on the importance of setting goals compared to only disseminating information about the availability of affirmative action/minority and women-owned business enterprise activities.

It was

*****m/s/c to adopt the Employment Committee recommendation that the following Purchasing Department contract-letting goals be set: participation of minority-owned businesses: 25%; participation of women-owned businesses: 5%.

- The next meeting of the HRC will be Thursday, July 3, at which it will undertake the compilation of issues and concerns it will be working with through March of 1981. Suggestions were asked to be sent to Vicky Rathbone, staff to the Committee.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Letter Urging Support of Senate Joint Resolution 27 (Marks) Regarding Federal Bans on "Sexual Deviates" Entering the U.S.

Copies of a proposed letter to be sent to five State senators, members of the Senate Rules Committee, were provided each Commissioner. The letter would urge that the Rules Committee approve a resolution (Senate Joint Resolution 27) proposed by San Francisco Senator Milton Marks. This resolution urges that the President and The Congress remove the wording in the present Immigration and Naturalization Act referring to "sexual deviates" as a category that shall be denied entry into this country.

The original letter draft asked that the Act be changed to "remove existing bans on alien homosexuals", but it was pointed out that the actual wording in the Act is "sexual deviates".

It was

*****m/s/c that this letter be sent.

OLD MATTERS

- Charter Revision Review.

Commissioner Yamakawa reported that he has, as requested by the HRC, reviewed the second draft of the revised City Charter proposed by the San Francisco Charter Commission and found that all the HRC concerns discussed at previous meetings have been accommodated. He noted that the function of monitoring City departments for affirmative action in employment plans is enumerated in the proposed revised Charter.

NEW MATTERS

- Policy on Use of Racial Slurs by City Employees.

Director Mickins appeared before the Affirmative Action Review Committee of the Civil Service Commission (Commissioners del Portillo and Lee sitting) regarding the HRC's recommended City Policy Regarding the Use of Slurs Against Groups Protected by Chapters 12A, 12B, and 12C of the San Francisco Administrative Code. This policy and an accompanying statement were adopted by the HRC May 8, 1980, and sent to the heads of all City departments, commission, boards, and agencies urging their adoption (of the policy).

The committee of the CSC voted to send the recommended policy to the next meeting of the full CSC, either June 30 or July 7, and a member of the HRC will appear urging that it be adopted.

- Accessibility for the Disabled.

Commissioner Stratton said that at a Street Artists Fair on June 13 in Building C at Fort Mason a disabled person in a wheelchair had found accessibility frustrating and extremely difficult. He asked that the HRC concern itself with this issue.

Director Mickins said that the HRC currently is reviewing the protections presently offered under Chapters 12A and 12B of the City Administrative Code for the disabled. He and Mary Gin Starkweather, of the HRC staff, met with Commissioner Stratton and some federal representatives at the U.S. Department of Health and Human Resources (formerly the Department of Health, Education, and Welfare) to be briefed on the provisions of Sections 503 and 504 of the federal Rehabilitation Act.

Commissioner Stratton pointed out that accessibility to the City Hall, for example, is extremely difficult for those in wheelchairs, and that federal law requires that federal buildings or public buildings in cities receiving federal funds must provide accessibility.

*****On Commissioner Yamakawa's suggestion, joined by Commissioner Mezey, Chairperson Morrissey requested that Commissioner Stratton and Mr. Mickins determine the best way the HRC can have a public presentation on the status of accessibility to City buildings and services for the disabled.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, July 17, 1980, at 9:15 A.M. in the Third Floor Commission Room of the Main Library. This will be, as is the summer custom, the only meeting in July.

Staff was asked to re-schedule the September 11 meeting, since that is the Jewish religious holiday of Rosh Hoshanna.

STANDING COMMITTEES

Employment	Thursday, July 3, 1980 - 9:30 A.M. 870 Market - Room 920
Gay Advisory	Tuesday; July 1, 1980 - Noon HRC Offices, 1095 Market - Room 509
Housing & Urban Development	Tuesday, July 22, 1980 - 2 p.m. HRC Offices, 1095 Market - Room 509
Police Liaison/Social Issues	Wednesday, July 30, 1980 - 3 P.M. HRC Offices, 1095 Market - Room 509
Youth & Education	Thursday, July 3, 1980 - 3:30 P.M. Yerba Buena Senior Center 1111 Buchanan-Entrance: Golden Gate between Webster/Laguna Streets.

No Remarks from the Audience.

Adjournment.

Respectfully Submitted,

Grant S. Mickins III
via Jack Casford

GSM/JC:sas
attachment

and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

June 20, 1980

Last August, in response to a request from Mayor Feinstein, the HRC called together a group of citizens concerned with inter-group tensions in San Francisco to review certain incidents of hostility and bigotry stemming from confrontations between some Black representatives of the Western Addition and Jewish members of the Redevelopment Agency. At that time, the Mayor was also concerned about confrontations between members of the Gay community and Black and Hispanic representatives.

Four meetings were held, resulting in a wealth of dialogue and exchange. (A report to the Mayor was submitted.)

The consensus of the group was that an Inter-group Clearinghouse should be established, to be composed of all significant community sectors of San Francisco, and available to respond on short notice to critical inter-group issues, and to recommend actions to ease tensions.

It was further agreed that this Inter-group Clearinghouse should be a separate entity, functioning independently of, but closely related to, the HRC in order to be able to speak forcefully and swiftly on critical issues, unencumbered by the rules and regulations which currently bind HRC actions. Until the Clearinghouse was well established, the HRC would furnish administrative and staffing support.

The Inter-group Clearinghouse would be structured very simply. You will note by the design attached that several components, representing Black, Jewish, Hispanic, Gay, Asian, Youth, Religious and Other communities, would be formed to meet independently to discuss mutual concerns, or with other groups, depending on the issue common to two or more groups at any given time.

A Steering Committee, composed of representatives of the various groups mentioned above, would provide direction. The Steering Committee would identify the critical inter-group problem to be addressed, and would call the affected groups together to discuss, plan, and recommend courses of action to the City.

The Mayor is now concerned about San Francisco's readiness to cope with an inter-group disturbance such as recently experienced in Miami. In order to respond to this potential threat, we are now suggesting the formation of the Steering Committee of the Inter-Group Clearinghouse. To save time and effort, we are suggesting that members from the current list of those who attended the first four meetings, with the addition of a few others, be brought together by the HRC to be constituted as this Steering Committee. After organizing itself, the Steering Committee could begin laying out plans for consideration of the clearinghouse group. Attached for your information, are the names of persons

who we feel could be called together to form the Steering Committee.

Would you be kind enough to let us know of your willingness to serve in this capacity by calling the HRC office, in care of Joseph A. Meza - 558-4901 - no later than Wednesday, June 25, 1980. A meeting of the Steering Committee will be called within a week to ten days thereafter, at which time the Mayor will attend and express her personal concerns.

Thank you for your consideration.

Sincerely,

Grant Mickins
Director, HRC

GM:pa

STEERING COMMITTEE

INTERGROUP CLEARINGHOUSE (Proposed)

HISPANIC

- Ernest C. Ayala
- Eduardo Sandoval

BLACK

- Dr. Zaretti L. Goosby
- Willie Kennedy

SIAN

Wilson Chang
Yori Wada

ELIGIOUS

Donneta Lane
Pat Cannon

EWISH

Rita Semel
Rhonda Abrams

AYS

Jo Daly
Eddie Baca

OUTH

David Ilumin
Roberto Hernandez
Claude Everhart

THER

Julie Nichols
Dr. Anthony C. Ubalde

ADVISORY

Grant Mickins	-	Director, HRC
Earl Raab	-	Director, Jewish Community Relations Council
Dr. Norman Leach	-	Co-Chair, S.F. Conf. Religion, Race & Social Concerns
Ricardo Hernandez	-	Staff, Mayor's Office
Rotea Gilford	-	Director, Mayor's Criminal Justice Council
Julian Klugman	-	Director, Community Relations Service, Dept. of Justice
Joseph A. Meza	-	Staff, HRC

M O D E L

INTER-GROUP CRISIS RESPONSE

Steering Committee

- Identify critical problems
- Call group/groups together
- Provide direction

REPRESENTATIVE GROUPS

(composed of leading and concerned citizens, available on short notice to meet at call of Steering Committee chair-person)

5
80
2
7-80
2

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, July 17, 1980

DOCUMENTS DEPT
JUL 1980
SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING

Date: Thursday
August 14, 1980
Time: 9:15 A.M.
Place: Commission Room, Third Floor
Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Samuel H. Chung, Antonio Grafilo, Robert D. Edwards, Caryl Mezey, Joan Zamora Moulton, Stephen A. E. Stratton, Brenda K. Wade, David Yamakawa.

Excused: Lia Belli, Sister Bernadette Giles, Pius S. C. Lee, Phyllis Lyon, Clemente Obregón, Rabbi Martin S. Weiner.

Staff Grant S. Mickins, Jack Casford, Lloyd Cowan, Linell Harden, Stanley Lim, Richard Norton, Vicky Rathbone, Gail Roberts, Essie Thomas, Ed Vurek.
Richard G. Norton, who has joined the HRC staff as a Contract Compliance Officer responsible for the Moscone Convention Center, was introduced by Director Mickins. Mr. Norton formerly was with the Mayor's Council on Criminal Justice.

PLEDGE OF ALLEGIANCE

MINUTES of the Meeting of June 26, 1980 approved.

COMMUNICATIONS

- From Rodney E. Williams, President, Officers for Justice, a copy of a letter to Mayor Feinstein, with copies to all media, the members of the Board of Supervisors and the Police Commission, and various minority advocacy groups, submitting specific suggestions for re-establishing the Police Community Relations Unit. This letter was read in full by the Director, who said that the HRC's Police Liaison/Social Issues Committee would be asked to consider this letter in light of its meeting early this year with the Chief of Police where it re-stated the HRC's long-standing formal support for re-establishment of a strong Police Community Relations Unit.

- From Anthony J. Taormina, Deputy Port Director, Port of San Francisco, asking that Director Mickins restrict HRC staff (Vicky Rathbone, Contract Compliance Specialist) from notifying (minority-owned) firms of contract bid opportunities with the Port Commission. Mr. Taormina wrote, "Your staff's announcement has only caused a number of firms to contact us unnecessarily and creating much confusion between the consultant community and the Port. We shall invite those firms we judge qualified to submit proposals. We will also actively seek minority-owned firms such as we did on the architectural work on Pier 35."

Director Mickins commented in depth on this letter. He said the HRC, through staff, has been working on making certain that procedures are set up for notifying minority and women-owned firms of contract business opportunities

at the Port. Ms. Rathbone contacted the Port Commission Engineer and was told that he would welcome such procedures. Mr. Mickins said that the HRC has told minority and women-owned firms that they cannot be guaranteed contracts, but they can be guaranteed notification of bid opportunities. This right is fundamental, he said, and with other major City departments, the HRC has held to it. He stated that Mr. Taormina's objections as stated are ill-taken.

It is possible, he said, that the Mayor might be asked to ask that the Port Commission notify its staff of the notification commitment to minority and women-owned businesses.

- To Mayor Feinstein, a formal supplemental appropriation request on behalf of correcting the 1980-81 Human Rights Commission Interim Budget. See Director's Report for discussion.

- To Commissioner Phyllis Lyon, from the HRC Chairperson, John C. Morrissey, asking that the July HRC meeting agenda include discussion of the issue of a challenge nationally to a Columbia Broadcasting System television documentary in May regarding the Gay community of San Francisco. See discussion under Gay Advisory Committee in these Minutes.

- From Carol A. Boysen, Affirmative Action Manager, United Airlines, informing the HRC that United Airlines now has an Affirmative Action Manager and Staff Representatives at Western Division Headquarters, responsible for discrimination complaints, compliance reviews, etc.

- From Steven H. Herman, attorney with Rudy, Rapoport and Holden, representing North Point Center, Inc., enclosing a copy of a revised Affirmative Action Agreement between North Point and the HRC. See discussion below under Special Order.

- From Judy Reed, Coordinator, Annual Cable Car Bell Ringing Competition, advising that Judge Louis Garcia (formerly a member of the HRC) would represent the Friends of the HRC at the ringing on July 17 at the Cable Car Barn.

- From Paul D. Hardman, Publisher, The Voice Newspaper, a formal complaint against United Way "for discrimination against homosexual and sexual minorities and the organizations which serve their needs." This letter was read in full. Mr. Hardman wrote that only .03% of nearly $17 million collected during the latest fund-raising campaign was distributed to organizations serving sexual minorities. He claims that "since United Way has contracted to have the city make deductions from the salaries of city employees....then United Way may be considered to be a contractor doing business with the city..."

Director Mickins said that the HRC may have jurisdiction under its mediation and conciliation powers under Chapter 12A, but that the application of this case to Chapter 12B had yet to be determined from the City Attorney.

- From Donald Disler, attorney with McCarthy & Schwartz, enclosing a copy of a letter protesting an award of contract at the San Francisco International Airport addressed to Richard Heath, Director of Airports. This letter was read in full. Director Mickins said that Rosas Construction Company, which Mr. Disler represents, claims that a low bidder, Lathrop Construction Company, "failed to name any minority business enterprise construction sub-contractors in its bid (June 8, 1980)." The HRC has been asked to investigate.

SPECIAL ORDER

Proposed Settlement Agreement re: HRC vs. North Point Center, Inc.

Director Mickins introduced discussion of the recommended settlement of this long-standing issue with a chronological resume.

Attempts by the HRC to apply its mandated authority to monitor City contractors for affirmative action employment compliance to the Pier 39 complex dates back to August of 1977. Pier 39, a tourist-oriented complex of shops and restaurants identified publically with its chief developer Warren Simmons, occupies a large stretch of the San Francisco waterfront and extends into the Bay under a 60-year lease granted North Point Pier, Inc. (as the development was called in but the first of a number of changing names over the years).

After many months of resistance by Mr. Simmons, his representatives, and his law firm, Rudy, Rapaport and Holden, by early Spring in 1978 HRC staff was reporting in writing to the Director that "...notwithstanding comments made by NPP representatives that they wish to 'cooperate' with HRC, the full text of their correspondence and subsequent action seems to indicate otherwise. It has taken them almost 6 months to submit a Questionnaire (workforce breakdown, etc.) a rather poorly complete one at that. Furthermore, although they claim (to) want to work with us, they continue to protest our requests and question our jurisdiction."

In April of 1978, Director Mickins issued a Finding of Noncompliance against the then-North Point Pier, Inc. It was appealed, and, throughout 1979, the HRC was involved in the procedures of hearing this appeal, and in negotiation attempts to effect some kind of settlement. The first appeal hearing was scheduled for February 15th. After numerous cancellations, a formal hearing was held August 9th, at which Steven H. Herman represented North Point Pier, Inc. Officers of North Point Pier, Inc. were scheduled to appear at a further hearing, but that hearing was cancelled for reasons that included the involvement of North Point Pier, Inc. in a lawsuit brought against it (conflict of interest) by the City and County of San Francisco. In December of 1979, it was believed that a settlement between the HRC and the appellants was possible. Negotiations continued, beginning in January of 1980, and leading finally to the settlement brought to this full meeting of the HRC on recommendation by Director Mickins and HRC staff, including Stanley Lim, that the HRC adopt it.

Mr. Mickins introduced Mr. Herman, who offered to respond to any questions regarding the recommended fifteen-point Affirmative Action Agreement. The ensuing discussion was long and in some detail. Each of the ten Commissioners present had questions and comment.

Initial questioning established the depth of coverage of the Agreement as to contracts and to employees. On this point, and out of a concern about the possibility of limitations that might be interpreted, Commissioner Yamakawa introduced an amendment, and, after discussion, it was
**** m/s/c that the Agreement be amended under Paragraph 14, Pgge 4 by adding the sentence: This Agreement shall be applicable to all successors and assigns of North Point Center, Inc.

On Paragraph 15, the final point of the recommended Agreement, Commissioner Yamakawa asked Mr. Herman if its statement that the Complaint of the HRC vs. North Point Pier, Inc. of April 12, 1978 (the Director's original Finding of Noncompliance) be dismissed was in essence the appellant's move for "dismissal with prejudice" and was answered affirmatively.

Under Paragraph 11, whereby North Point agrees to spend $10,000 "... to further the objectives of affirmative action in this Agreement," Mr. Herman was asked to specify what was being considered. He said that the only consideration was that the money be spent to set up "some kind of training program for minorities" at the Pier 39 complex. He assured Commissioner Mezey that the money would not be included in any salary paid any affirmative action officer, or a training program supervisor or officer.

Under Paragraph 7, whereby North Point agrees to notify all sublessees in writing of their obligations to meet the requirements of Chapter 12B, Mr. Herman said he was drafting a letter that would attach Chapter 12A as well, and that this letter would be sent immediately upon HRC approval of the Agreement.

Under Paragraphs 6 and 7, Mr. Herman pointed out that the HRC staff is obligated to forward lists of minority business enterprises (MBEs) and Women Business Enterprises (WBEs) to North Point. The HRC staff, he said, is to study the vendor lists of North Point to identify those MBEs or WBEs that are presently on it.

At the request of Stanley Lim, that Paragraph 6 be amended to add the sentence: All sub bids shall be made available to the HRC for review prior to award, it was

**** m/s/c that this be done.

Mr. Herman noted North Point's agreement to assign a person as an affirmative action officer under Paragraph 9 and said that person would be based at North Point's headquarters at Pier 39.

Commissioner Moulton questioned the establishment of percentile levels for MBE and WBE goals under Paragraph 10 from the concern that women minorities who are business owners may be double-counted, that is, to fulfill both a minority and a woman participation goal separately.

Asked for comment, Edward Vurek of the HRC staff said that the HRC's Employment Committee is aware that some double-counting does occur, and that it will be considering this problem at a regular meeting soon to try to find a solution for it.

After Commissioner Yamakawa had proposed amendments to Paragraph 14 and Paragraph 6 (as shown above having been adopted by the HRC), he moved the following amendment to Paragraph 15 (where dismissal of the Complaint---Finding of Noncompliance---against North Point was called for once the Agreement were adopted):

North Point Center, Inc., hereby waives any right to a speedy hearing, and upon satisfactory completion of this Agreement by North Point Center, Inc., the Commission shall dismiss the Complaint entitled Human Rights Commission, Complainant v. North Point Pier, Inc., Respondent, dated April 12, 1978.

Mr. Herman said that if this amendment were adopted he would not recommend to his client appellants that they accept it. He said he considered it "not fair and not in the best interests" of his clients or the HRC.

Commissioner Yamakawa said his intent with the amendment was that on completion of the Agreement (June 30, 1983) the Complaint, which he recommends be held in abeyance under June 30, 1983, would then be dismissed.

Asked what remedies are provided in case of breach of the Agreement, Mr. Herman said those remedies already provided for in Chapters 12A and 12B ($50-a-day penalty, possible recommendation to terminate a lease, etc.)

Commissioner Mezey made a strong plea for HRC approval of the Recommended Affirmative Action Agreement, saying that it represents having achieved in writing the pledge of a good-faith effort to comply with affirmative action. She stated that Commissioners and especially the HRC staff have worked nearly three years on this issue and that she deplored any move to jeopardize the Agreement.

Commissioner Yamakawa siad that if North Point Center, Inc. intends in good faith to comply with the terms of an Agreement, then it need not fear any action of the HRC regarding the Complaint. He said in his opinion all the remedies (for breach of agreement) that were previously referred to in Chapters 12A, and 12B, and 12C. "do not come into play."

Mr. Herman said that in his opinion actual alleged discrimination was essential to a Complaint under the ordinances, whereas the HRC had filed its complaint on the basis of refusal to report (workforce breakdowns, etc.).

Commissioner Morrissey joined the discussion by saying he felt the HRC members should consider the long work and preparation of the HRC staff and Director in coming to this recommended Agreement.

Director Mickins added his comments along the same lines, citing the workforce goals for minorities it calls for, and the establishment at Pier 39 already of a significant percentage of minority and women-owned businesses.

Commissioner Yamakawa stated that he was not sure what kinds of breaches of contract would be covered in the Agreement.

Commissioner Wade cited Paragraph 13, wherein there is spelled out that North Point's intentional failure to report or comply with any other requirements shall be grounds for the HRC to find a violation.

**** There were two votes on the Yamakawa proposed amendment to Paragraph 15. On the first, it passed, with 6 Ayes and 3 Noes. After further discussion was called for (see immediately above), a second vote was taken. The amendment was then defeated with 6 Noes and 3 Ayes.

It was then

**** m/s/c that the Affirmative Action Agreement be adopted. Commissioner Yamakawa asked that his No vote, the only one, be recorded.

DIRECTOR'S REPORT

- HRC 1980-81 Budget Status

Director Mickins, joined by Chairperson Morrissey and Commissioner Mezey, appeared before the Finance Committee of the Board of Supervisors to ask that a clerical error that could cost the HRC a $28,860 cut in its budget be corrected. It is assumed from the fact the Budget Analyst's Office has testified it is making no change in the HRC budget (which means, in budget language, apparently, that the error deficit would not be accounted), that the budget will go through. A supplemental appropriation request for the $28,860 was submitted with a cover letter July 1, 1980 to the Mayor. The letter was read in full.

- Commission on the Status of Women

The furniture, files, and supplies of the Commission on the Status of Women now occupy Room 505 at the HRC offices. A junior clerk, Mr. Chung-Kuei Wang, is working there. Mr. Mickins stated that separate phone lines are bing installed and he expects the COSW to be back "on track" soon.

STANDING COMMITTEES

GAY ADVISORY

Phyllis Lyon, Chairperson

- Letter of Concern re: Anti-Gay advertisement in the San Francisco Examiner March 16, 1980.

Commissioners were provided with Xerox copies of an advertisement that appeared in the Sunday San Francisco Examiner March 16, 1980. It states in

a headline, "Cast Your Vote to CLEAN UP AMERICA (and receive a FREE "OLD GLORY" pin)" followed by three questions with YES and NO boxes to be marked:
1. Do you approve of known practicing HOMOSEXUALS teaching in public schools:
2. Do you approve of the present laws legalizing ABORTION-ON-DEMAND?; and
3. Do you approve of the open display of PORNOGRAPHIC materials on newstands, TV, and movies? There are photographs of Anita Bryant, with a quotation, and Jerry Falwell, of the Old-Time Gospel Hour. A mail-in coupon is printed on the bottom of the ad, with the address: Dr. Jerry Falwell-The Old-Time Gospel Hour, Lynchburg, Virginia 24514.

Commissioner Stratton was acting for GAC Chairperson Lyon, who was on vacation. He called attention to the draft of a letter addressed to the Editor of the San Francisco Examiner for Chairperson Morrissey's signature, deploring the advertisement, and requesting that the paper refrain from future publication of such advertisements "which question the integrity and professional ability of homosexuals to pursue employment opportunities."

Mr. Herbert Levy, who b rought the attention of the GAC to this matter, addressed the HRC. He pointed out that while the HRC letter should be addressed to the Editor of the San Francisco Examiner, the Chronicle did refuse to accept an advertisement from the San Francisco Gay Mens Chorus.

After discussion about the applicability of the HRC's Nondiscrimination ordinance to editorial/advertising policy, it was

**** m/s/c that the GAC be authorized to write to the Editor and Publisher of the San Francisco Examiner objecting to the paper's aceeptance of the kind of advertisement objected to, and encompassing the suggestions for changes the Commissioners made during the discussion. The form and content would be approved by the chairpersons of the HRC, the GAC, and the Director.

- National News Council Waiver Request - CBS Gay Documentary

The CBS Documentary aired April 26, 1980 called "Gay Power, Gay Politics" got widespread negative reaction in San Francisco. The HRC adopted a Resolution Condemning CBS NEWS for Irresponsible Journalism Regarding "Gay Power, Gay Politiss" Documentary Film on May 22, 1980. A copy of that Resolution was sent to the National News Council.

The Council called Chairperson Morrissey to ask that he sign a waiver on behalf of the HRC which would indicate that the HRC would not bring any court action based on the documentary film which the Council would be investigating.

Lloyd Cowan, staff to the GAC, announced that the Board of Supervisors has signed an identical waiver for the National News Council.

After an explanation in lay terms from Chairperson Morrissey what a waiver entailed, it was

**** m/s/c that Chairperson Morrissey be authorized to sign such a waiver.

NEW MATTERS

- Inter-group Clearinghouse

A planning meeting of those community representatives invited to participate with this group will be held August 1st, opening in the Mayor's Office, and then adjourning to the Commission Room in the Main Library.

- Meeting re: Gay Harassment Near Everett Junior High School

Director Mickins and Lloyd Cowan met with a group including the principal of Everett Junior High, representatives of the San Francisco Unified School District, the Police Dept., and of the Gay community in the

Mission District regarding charges of violent attacks on Gay people in the area of Everett Junior High School this summer. There had been reports that the Gay group had planned a picketing demonstration at the school. Mr. Mickins said the immediate crisis was calmed, but that tensions over this issue remain very hich.

- Special Meeting on Problems of the Disabled

Commissioner Stratton was asked to arrange for an afternoon session on Tuesday, August 5th in the Conference Room of the Federal Building for this orientation review for Commissioners on the problems and concerns of the disabled.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, August 14, 1980 (the only meeting in August) at 9:15 A.M. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, August 7, 1980 - 9:30 A.M. 870 Market St., Room 920
Gay Advisory	Tuesday, August 12, 1980 - Noon HRC Offices, 1095 Market St., Room 509
Housing & Urban Development	Tuesday, July 22, 1980 - 2 P.M. HRC Offices, 1095 Market St., Room 509
Police Liaison/Social Issues	Wednesday, July 30, 1980 - 3 P.M. HRC Offices, 1095 Market St., Room 509
Youth & Education	Thursday, August 7, 1980 - 3:30 P.M. Yerba Buena Senior Center 1111 Buchanan - Entrance: Golden Gate between Webster/Laguna Street

NO REMARKS FROM THE AUDIENCE

ADJOURNMENT

Respectfully submitted,

Grant S.Mickins
via *Jack Casford*

GSM:JC:pa
7/24/80

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, August 14, 1980

NEXT MEETING

Date: Thursday
September 4, 1980
Time: 9:15 A.M.
Place: BART MEMORIAL HALL
CONGREGATION SHERITH ISRAEL
2266 CALIFORNIA STREET

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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: Phyllis Lyon (Presiding), Samuel H. Chung, Sister Bernadette Giles, Robert D. Edwards, Pius S. C. Lee, Joan Zamora Moulton, Clemente Obregón, Stephen A. E. Stratton, Rabbi Martin S. Weiner, David Yamakawa, Brenda K. Wade.

Excused: Lia Belli, Antonio Grafilo, Caryl Mezey, John C. Morrissey.

Staff:

Present: Grant S. Mickins, Jack Casford, Matt Cohen Linell Harden, Don Hesse, Stanley Lim, Joe Meza, Dick Norton, Gail Roberts, Mary Gin Starkweather, Julie Yim.

- Ms. Julia Yim, formerly a planner with the Mayor's Council on Criminal Justice, has joined the HRC staff as an Affirmative Action Officer working on contracts at the San Francisco International Airport. Ms. Yim, who replaces Ms. Charlie Lee, was present and was introduced.

PLEDGE OF ALLEGIANCE

Minutes of the Meeting of July 17, 1980 approved.

COMMUNICATIONS

- From Donald Disler, an attorney with McCarthy & Schwartz, an inquiry on behalf of his client, Rosas Construction Company of Brisbane, California, regarding applicability of minority entrepreneurship goals.

- Also from Mr. Disler, enclosing a copy of a letter of protest of award of contract sent to Richard Heath, Director of

Airports, San Francisco International Airport, on behalf of Rosas Construction Company.

Director Mickins reported that the HRC has filed a formal Noncompliance complaint against Lathrop Construction Company, which is the firm the Rosas Construction Company charges with having "failed to name any minority business enterprise construction sub-contractors in its bid." The Lathrop Construction Company has appealed the HRC complaint and the HRC will hear this appeal on Thursday, August 28, at 9:15 A.M. in the Retirement System headquarters at 770 Golden Gate Avenue.

- From Leonard Gordon, Director, Community Outreach, Youth for Service, congratulating the HRC for the negotiated agreement regarding affirmative action with North Point Pier, Inc. (Pier 39), and offering assistance in the implementation of certain aspects of the settlement, specifically: development of a job-training program for minority youth; and the possibility of Youth for Service acting as the designated community organization for recruitment and hiring.

- From Chairperson John C. Morrissey, responding to HRC Gay Liaison Worker Lloyd Cowan on the wording of a letter to the San Francisco Examiner as followup to HRC discussion in July of concerns over an advertisement published March 16, 1980 soliciting votes to "Clean Up America" regarding, among other points, the employment of homosexuals in public schools.

- From Ray Rickman, Executive Director, Providence (Rhode Island) Human Relations Commission, asking for a copy of the HRC's "Sex Harassment Policy Statement" and of its contract compliance statements. Director Mickins noted that a number of human rights/relations commissions/across the country are requesting these and other materials referred to in the HRC Minutes, which are widely distributed.

- From Roger M. Hughes, an attorney with Bell, Rosenberg, Spinetta & Randick, a formal Notice of Appeal of the HRC's complaint of noncompliance against F. F. Lathrop Construction Company in its bid on Airport Contract No. 1200A-Central Terminal Modernization--Site Preparation Work. The HRC complaint was reported formally to Richard R. Heath, Director of Airports, by the HRC Director on July 29, 1980. See prior discussion and announcement of Appeal Hearing by the HRC above.

- From A. Lytle, Agency Secretary, State and Consumer Services Agency, noting Director Mickins' meeting with her regarding the Governor's Task Force on Civil Rights on August 4, 1980, in Sacramento. See Director's Report for discussion on this meeting.

- From Catholic Social Service, announcement of a Labor-Catholic Labor Day Breakfast to be held September 1, following an 8 A.M. Mass at St. Mary's Cathedral.

- From San Francisco Charter Commission, a copy of the proposed charter for the City and County of San Francisco submitted on August 7 for the November 4, 1980 ballot. After August 29, mail for the Charter Commission is to be addressed to P.O. Box 4666, San Francisco, CA 94101, and the telephone number will be 552-7887. This is the final documant which will be approved or rejected by the voters in November.

Commissioner Stratton asked if further input could be made on the proposed charter, saying that persons had told him they wished to speak before the HRC on their concerns about some inclusions as they now stand.

*****Director Hickins said that the Administrative Committee could review its current stance on the proposed charter, and see if it might have some recommendation in line with Commissioner Stratton's question.

DIRECTOR'S REPORT

- HRC Racial and Ethnic Slurs Policy Status.

The HRC on May 8, 1980 adopted a Statement and Recommended City Policy Regarding the Use of Slurs by City Officials and Employees, which was submitted to the Civil Service Commission with the recommendation it adopt it as policy. It would make the use of slurs by City officials, employees, and agents against any person because of race, color, creed, national original, ancestry, age, sex, sexual orientation or disability as prima facie evidence of the lack of competence, and as the basis for job performance evalutions.

Commissioner Yamakawa appeared before the Civil Service Commission at its regular meeting on August 4, 1980, on behalf of the formal HRC recommended action on this policy. In the ensuing discussion, former HRC Commissioner (term: 10/17/75 to 12/4/75) Darrell Salomon, now a Commissioner of the Civil Service Commission, sharply criticized the proposed policy, addressed a number of challenging questions to Commissioner Yamakawa, and finally voted with one other Commissioner against its adoption. The tie vote, 2 to 2, cause the adoption to fail. Former HRC Commissioner (term:3/18/76 to 4/24/79) Carlota del Portillo voted to adopt.

Director Hickins said that this recommended policy will re-appear on the calendar of the Civil Service Commission on Monday, August 18. He will be present. Vice-Chairperson Lyon suggested that a number of members of the HRC plan to attend the CSC meeting. Mr. Hickins said that the recommended policy from the HRC had been "tightened up" by CSC Vice-Chairperson Louis Lee before the August 4 meeting. Though Commissioner Salomon had stated that the recommended policy was too "vague.... and broad", the Director said that it had been very carefully drafted, researched, and written by a number of attorneys, including the HRC's own Commissioners David Yamakawa and John C. Morrissey, an attorney member of the Employment Committee, and attorneys from the American Civil Liberties Union.

Director Hickins stated that it is his view that the HRC has the full authority under Chapter 12A of the City Administrative Code to recommend such a policy. However, he added, it would be hoped that the Civil Service Commission with personnel responsibility for thousands of City officials and employees would adopt such a policy and make it applicable to evaluation standards for City officials and employees.

- Commission on the Status of Women.

Director Hickins and Deputy Director Joseph Meza attended the August 11 meeting of the COSW, the first held since it was placed under the supervision of the HRC and its offices established physically at 1095 Market. Nine of the eleven members of the COSW attended this meeting, which was chaired by its Vice-Chairperson Pauline Johnston. Director Hickins said the meeting went well, and that the COSW is moving towards re-setting its priorities in a spirit of cooperation. There are

four new members of the COSW. It is expected that the COSW will change its meeting time and place to the Commission Room of the Main Library in the late afternoon.

- It was noted that the COSW is not referred to in the proposed new City charter nor is it referred to in the duties assigned to the HRC.

Director Mickins noted that the Mayor has spelled out that the HRC Director shall be responsible for managing and supervising the COSW and its personnel upon a written request from it. He said he expects the COSW to adopt formally such a letter by resolution at its September meeting.

*****The Administrative Committee will be asked to bring before the full HRC the formal action on assessing what additional support the HRC will need in order to carry out the extra work involved in supervising and managing the COSW in its offices.

- Friends of the Human Rights Commission.

This group's Board of Directors, which was formed in April of 1980, held its fourth meeting August 11. The Board President and Chief Executive is Earl Raab, Vice President is Dr. Zuretti L. Goosby, and Gail Roberts of the HRC staff acts as Secretary. The Board has been expanded from seven to fifteen members. There currently are 88 active and 36 contributing members of the Friends. Attendance and interest has been good, Director Mickins said. The Board is condidering establishing a newsletter.

- Appeal Hearing for Lathrop Construction Company.

As announced in the Communications section of these Minutes, this Appeal Hearing will be held Thursday, August 28, at 9:15 A.M. at the Retirement System headquarters, Conference Room #250, at 770 Golden Gate Avenue.

Special Seminar Regarding Contract Compliance Obligations Regarding the Disabled.

This presentation, planned by Commissioner Stratton and Mary Gin Starkweather the HRC staff, will be given for all members of the HRC and its staff, and representatives of all City departments, on Wednesday, September 10, 1980 in Room 406 of the Federal Building in the Civic Center (50 U. N. Plaza) beginning at 1:30 P.M. Contract Compliance obligations regarding the disabled (both employees and clients) applicable under sections of the federal Rehabilitation Act of 1973 will be discussed.

- Assembly Bill 2597.

A tie vote in the State Senate Finance Committe killed this legislation, which the HRC had endorsed. It would have provided modest state funding support for county human rights/relations commissions. Director Mickins was with the supporting delegation in Sacramento August 4. He said that as a direct result of Proposition 13, there are only six county human rights/relations commissions still in existence in the state--- Los Angeles, Humboldt, Orange, Sacramento, San Francisco, and Santa Clara. The bill had been passed by substantial majorities in both the Assembly Ways & Means Committee and the full Assembly. Governor Brown had announced that he would have signed the bill had it passed. The losing vote was a tie, 4 to 4. State Senator John Briggs, Vice-Chairperson of the Senate Finance/Committee, presided at the time the final vote was taken, Director Mickins said the legislation may be re-introduced in the

next Session.

- HRC Budget 1980-1981.

The Mayor's Office-Comptroller has informed the HRC that it may meet its budget deficit by carry-forward funds from its 1979-1980 budget to cover the erroneous omission of some $29,000 from its 1980-1981 budget.

STANDING COMMITTEES

EMPLOYMENT
Housing and Urban Development
Pius S. Lee, Chairperson,
Samuel H. Chung, Co-Chairperson

- Recommended Endorsement of Assembly Bill 512-Don Hesse.

This bill would have amended the Rumford Fair Housing Act to add "physically handicapped" as a protected class under the legislation that prohibits the practice of discrimination in housing. A fact sheet and summary of the bill's provisions had been provided in advance to the full HRC in anticipation of its being asked by the HUD Committee to endorse it.

AB 512, however, was defeated by a vote of 6 to 2 when it went before the State Senate Finance Committee August 7. Similar legislation will be introduced in January.

Mr. Hesse said that the HRC had received very few complaints charging or involving discrimination because of physical disability. He recounted one, where blindness was the factor in refusal to rent. The complainant did receive, through action brought by the Lawyer's Committee, as a violation of Section 54.1 of the Civic Code, financial damages and occupancy of the disputed apartment.

Mr. Hesse said that there are virtually no public legal services available for the disabled. The Center for Independent Living and other such groups have been unable to raise funding for such service. The only recourse presently is to hire a private attorney.

Assembly Bill 512 defined "physical handicap" as follows: " Physical handicap' includes impairment of sight, hearing, or speech, or impairment of physical ability because of amputation or loss of function or coordination, or any other health impairment which requires special education or related services. (Section 2. (f).)

After discussion, it was
*****m/s/c to postpone approving the principle embodied in Assembly Bill 512 until after the September 10 meeting on legal rights of the disabled that has been arranged by Commissioner Stratton at the Federal Building in order to obtain more background for a full discussion in the future.

- Fair Housing Program.

Commissioners' packets at this meeting contained copies of the information brochure explaining the Fair Housing Program now being carried out at the HRC under a grant from the Federal Office of Community Development. Matthew Cohen is staff. Complaint investigation mediation, referral, and information services are provided.

- Commissioners' Attendance.

Commissioner Lee urged members of the HRC to attend regular meetings of the Housing and Urban Development Committee.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- Committee Report.

The Committee met August 7 regarding future issues it will consider. It agreed to write the Board of Education, commending it for restoring the sixth-period day in the Middle and Senior high schools.

The Delinquency Prevention Commission is about to release a study financed by the San Francisco Junior League on a needs assessment for the youth of San Francisco. Commissioner Giles has seen a draft of this report (at a meeting of the Coordinating Council of the Commission), and she said there are a number of items that will naturally come under consideration of the Youth & Education Committee.

It is also felt that with lessened labor tensions in the San Francisco Unified School District more attention can be focused on what Commissioner Giles called "quality education". The Committee hopes in the near future to have a speaker to address such concerns as the cutback in the counselor staffs.

Commissioner Giles welcomed new co-chairpersons of the Committee, Commissioners Wade and Weiner.

A new meeting place for the regular meeting August 21 will be at John Swett School, 727 Golden Gate Avenue.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Chairperson

- Recommended Adoption of Statement on the Use of Violence as a Protest Policy-Jack Casford.

- On June 10 in San Francisco, a number of demonstrators identifying themselves as members of an organization called the International Committee Against Racism forced their way into the Richelieu Cinema and vandalized the theater during a showing of a 1915 film "Birth of a Nation."

At the behest of Commissioner Weiner, at the HRC meeting June 12th, consideration of possible HRC response to this incident was referred to the Police Liaison/Social Issues Committee. The PL/SI's next meeting after June 12 was July 30. This was the first time it could consider a response.

Mr. Casford said that the Committee considered the following points in its discussion:

- Artistic freedom to depict and perform and show (in the case of films and TV program) unpopular events or causes, even those depicting (especially historically accurate) events of racism or bigotry must be protected.

- It cannot be stated that the showing (by the Richelieu Cinema) of "Birth of a Nation" (which admittedly does depict the Ku Klux Klan sympathetically, and its formation as justified) did attract those sympathetic to this viewpoint, or make a point of espousing such sympathies. Rather, the film has been for many years, in this country and abroad, viewed as a classic, directed by the legendary D.W. Griffith, and embodying many innovative film techniques worthy of study and appreciation.

- It must be conceded that the International Committee Against Racism has achieved the following: withdrawal of the film, considerable publicity, and forced reaction, compounded in the latter case by persons or groups caught in the dilemma, if you are opposed to racism, of how one can criticize a group called the International Committee Against Racism.

After some discussion, and comment by Commissioner Weiner and Moulton, it was
*****m/s/c that the HRC adopt the Statement on the Use of Violence As a Protest Policy, and to release it to the press, to the management of the Richelieu Cinema, and to the motion picture theater trade association. The full text is attached to these Minutes.

- Report on the Rodney Williams Letter re: Police/Community Relations.

A copy of a letter written June 24, 1980 by Rodney Williams, President of Officers for Justice, to Mayor Dianne Feinstein regarding suggestions for re-establishment of the Police Department's Community Relations Unit was sent to the HRC. One July 17, the HRC referred it to the Police Liaison/Social Issues Committee. The Committee discussed it at its July 30 meeting, in the presence of Sergeant Stevens of the Police Department Legal Department. Three or four public meetings had been held on the proposed re-establishment plans in July. From those attending these meetings, the Police Department, seventeen were invited to form a Community Advisory Committee draft a Community Relations Unit proposal embodying community input. A copy of that proposal and the names and organizations of that Community Advisory Committee were provided to the HRC (Jack Casford) by Lt. Frank Jordan.

- Members of the HRC asked for the list of those members.

The Police Commission reportedly wants to have its final proposal in by September 3. The HRC, through the PL/SI Committee, already has expressed its support for re-establishment of a strong Community Relations Unit through a meeting with the Chief of Police in April.

Commissioner Stratton asked if more hearings were scheduled by the Police Commission before it adopts its final draft recommendation.
*****Jack Casford was authorized to determine if more public hearings were scheduled, and if they were not, to write to the Police Commission on behalf of the HRC urging that this be done.

EMPLOYMENT

David K. Yamakawa Jr., Chairperson

- Report on Findings of Task Force on Apprenticeship-Stanley Lim.

Mr. Lim introduced his colleague, Linell Harden, of the HRC staff, and James Fox Fields Jr, Assistant Director, and John Harris, Field Representative, Bayview-Hunters Point Affirmative Action Program.

In March of 1980, the HRC staff presented a report on the status of resident employment at the Southeast Water Pollution Control Plant (Clean Water Program Contract "P") in the Bayview-Hunters Point area. The problem of low resident participation in some of the trades was extensively discussed. One of the recommendations adopted by the HRC was: "That the HRC establish a task force to work with the community, contractors, and the unions to develop (through indentureship and/or training) apprenticeship slots in unions in which residents, minorities, and women are underrepresented."

The Task Force was formed after the Employment Committee met in the first week of April, 1980, with Commissioner David Yamakawa appointing Richey Gore as chairperson. The first meeting was held May 15 with the following participants:

Richey Gore (Chair)	-Women in Apprenticeship
Richard Mikelson	-Sheet Metal Workers Union
John Scott	-IBEW Joint Apprenticeship & Training Committee
Eleanor Yaranon	-Apprenticeship Opportunities Foundation
Stanley Lim	-HRC Staff
Linell Harden	-HRC Staff

It was decided at that meeting to expand the participation, but only the following attended the subsequent meeting:

Bob Mendes	-Division of Apprenticeship
Florence Gaston	-Gaston & Jones, Inc.
Harold Brooks	-Business Development Inc.
Rufus Garrett	-Bayview Hunters Point Affirmative Action Program

Invitations were also extended to the Office of Federal Contract Compliance, State Fair Employment Practices Commision, Federal Bureau of Apprenticeship, Mechanical Contractors Association and the Operating Engineers Union, butthey did not participate in any of the meetings.

There were three meetings between May 15 and June 25, 1980. All took place at the Human Rights Commission offices. The initial meetings were devoted to the discussion of apprenticeship indenture requirements and procedures governing the electrical and sheet metal industries. Apprenticeship information form various unions also was requested.

HRC Staff member Linell Harden presented a statistical report at the second meeting. The trades and contractors not in compliance with the residency and apprenticeship goals were highlighted. It was generally agreed that most, if not all, of the available resident journeypersons in the mechanical trades were fully employed in projects in Hunters Point and elsewhere. This led to the conclusion by some that the Memorandum of Agreement calling for 50% residency employment, may be out of date. The most serious problem at hand was the glaring failure of an electrical contractor to employ resident apprentices. However, it was learned that electrical apprentices must be dispatched by order of the existing list; unlike other trades under court injunction which allow the dispatching of Model Cities resident apprentices on a priority basis.

Richard Mikelson provided a breakdown of the results from the sheet metal apprenticeship examination showing the number of apprentices-BVHP residents who took the exam which became the "model" for staff to use to obtain similar information from other mechanical trades.

Apprenticeship Information

On Request of the Task Force, HRC staff surveyed six additional mechanical trades for apprenticeship information. The results are as follows:

D. Automatic Sprinkler Fitter - 1979 Exam

1. No. of applications filed 20
2. No. filed from BVHP .....
3. No. took the exam and place on eligibility list 7
4. No. from BVHP took the exam 3

E. Iron Workers - No written response

A telephone follow-up conversation indicated there are "at least" 20 eligibles from Bay View-Hunters' Point yet to be dispatched. No other information available.

F. Plumbers and Steam Fitters Local 38 - No response.

Mr. Lim reiterated th that the $114 million contract (Contract "P") for the Southeast Water Pollution Control Plant (Clean Water Program) was the largest ever awarded by any City agency in the Bayview-Hunters Point area, and that the Memorandum of Agreement achieved there calling for 50% resident employment on the project was looked on with great hope by the community and other signators when it was completed. John Harris reported that presently some 18 months remain before completion of the project, or about 50 percent of the work.

Given the frustrating significance of the statistics quoted in Mr. Lim's report, (the written form was the work of the Task Force on Apprenticeship), members of the Commission were anxious to know if the low participation was due to residents' inability to qualify, or perform, or if they were actually victims of a form of discrimination.

Mr. Lim and Messers Fields and Harris explained the ways in which trade-union jobs are obtained : through open trades or listed trades. In the former (mostly carpenters, painters, and cement masons), there are written and oral examination procedures, but no ranking by score, and an individual may seek a job by personal application to an employer. In the listed trades (mostly electricians and other mechanical crafts), applicants must pass written and oral examinations. If they pass, they are ranked by score, and they obtain jobs when dispatched by the unions in the order of their rank.

Mr. Fields discussed the problem of entry into union apprenticeships by Bayview-Hunters Point residents to the effect that it is complicated by State apprenticeship guidelines, the complex examination and testing procedures, the lack of formal educational background of many residents, and their disadvantaged status in competing in tutoring classes. He said that only the highest scorers are indentured and entry often is limited to one class, say fifty at a maximum. Minority residents may have qualified, but placed so low in the ranked eligibility lists that they have no hope of being dispatched for up to two years. He pointed out that the vast majority of his program's clients need immediate work, and they cannot commit themselves to unpaid tutorial programs.

Mr. Fields said there had been some limited success in convincing individual imployers to hire under a more flexible work/training arrangement, such as paying a basic minimum wage while an individual is in a trade school. He stressed that he and his colleagues have to coach and followup with every individual through training and tutorial programs.

It was then
*****m/s/c that the HRC accept the Report on the Task Force on Apprenticeship and adopt the recommendation that, since the Bayview-Hunters Point 50% residency goal for apprentices in the mechanical trades cannot be met due to the restrictive selection procedures, the problem be referred to the Evaluation Committee to develop and recommend a program for implementation provided for in the Memorandum of Agreement.

NEW MATTERS

- New HRC Staff.

As mentioned in the opening of these Minutes, Ms. Julie Yim, formerly ofthe Criminal ustice Council, has joined the HRC staff succeeding Ms. Charlie Lee to monitor contract compliance at San Francisco International Airport.

- Task Force on Civil Rights.

As mentioned earlier by Director Mickins, he was with a group of human rights/relations commission Directors and Commissioners who met August 4, 1980 in Sacramento with Alice Lytle, Agency Secretary of the State Consumer Services Agency (the umbrella agency under which twelve other state departments are grouped),regarding the Governor's Task Force on Civil Rights. This body was created specifically to consider concerns about the increased public posture of the American Nazi Party and the Ku Klux Klan in California. Mr. Mickins said there are some 25 members of the Task Force, including law enforcement people, and in time a representative of the human rights/relations commissions will be invited to join. The commissions will be asked to serve as an advisory group to the Task Force. It hopes to have its report ready by December 1981 with its recommendations.

- Commissioner Moulton asked Director Mickins to provide her with a list of the members.

- Mr. Mickins said Ms. Lytle had read of the City's Intergroup Clearinghouse in the HRC's Minutes. The Clearinghouse's scheduled August 1 meeting with Mayor Feinstein had to be cancelled due to the Mayor's work with the hotel workers' strike and other issues. It will schedule another time for a meeting soon.

CALENDAR MATTERS

*****NOTE The next regular meeting of the HRC will be Thursday, September 4, the first Thursday in the month (September 11 is Rosh Hoshanna) at Congregation Sherith Israel, at 2266 California (corner of Webster) in the Bart Memorial Room at 9:15 A.M.

STANDING COMMITTEES

Employment	New Date: Thursday, September 18, 1980 9:30 A.M. 870 Market -- Room 920
Gay Advisory	Tuesday, September 15, 1980 Noon HRC Offices, 1095 Market-Room 509
Housing & Urban Development	Tuesday, August 26, 1980 2:00 P.M. HRC Offices 1095 Market, Room 509
Police Liaison/ Social Issues	Wednesday, August 20, 1980 3 P.M. HRC Offices, 1095 Market-Room 509
Youth & Education	Thursday, August 21, 1980 3:30 P.M. New Location: John Swett School 727 Golden Gate Ave.

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Hickins III
via Jack Casford

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, September 4, 1980

NEXT MEETING

Date: Thursday
September 25, 1980
Time: 9:15 A.M.
Place: Third Floor Commission Room
Main Library Civic Center

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NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committe Meetings

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Lia Belli, Sister Bernadette Giles, Robert D. Edwards, Phyllis Lyon, Caryl Mezey, Stephen A. E. Stratton, Brenda K. Wade, Rabbi Martin S. Weiner, David Yamakawa.

Excused: Samuel H. Chung, Antonio Grafilo, Pius S. C. Lee, Joan Zamora Moulton, Clemente Obregón.

Staff:

Present: Grant S. Mickins, Jack Casford, Matt Cohen, Don Hesse, Dick Norton, Gail Roberts, Essie Thomas, Julie Yim.

There was no Pledge of Allegiance due to the absence of a flag in the Bart Memorial Hall at Congregation Sherith Israel.

Minutes of the Meeting of August 14, 1980 approved, noting that the pages were erroneously headed July 17.

COMMUNICATIONS

- From Ray Rickman, Executive Director, Providence Human Relations Commission, requesting materials outlining organizational steps in creating the Commission on the Status of Women.

- From J. Peter Singer, Deputy Director, Business and Finance, Airports Commission, advising that his office would be happy to cooperate with the HRC and the San Francisco Business Development Center(funded by the U.S. Department Commerce) regarding concession opportunities at the San Francisco International Airport. This letter was read in full.

- From Renee French, Head Teacher, and Gloria Burchard, Assistant Head Teacher, Minimum Standards Summer Program, San Francisco Unified School District, thanking Director Mickins and the HRC on behalf of the students and staff at the Everett Middle School Minimum Standards Summer School and community at large for mediation assistance offered at a meeting at the HRC.

Director Mickins read this letter in full and noted that the meeting in his office had brought together representatives of the Gay Teacher and Worker's Coalition, the sergeant in charge of patrol assignments at Mission Police Station, representatives of the Superintendent of Schools' office, and other community representatives to discuss concerns over reported physical assaults on Gay people in the area of Everett Middle School, located at 450 Church Street in the City. Some students reportedly were involved in the assaults. The writers of the letter noted that "As a result of this meeting, we were able to achieve the objectives and instructional goals of the Minimum Standards Summer School and operate the school smoothly."

- From George Suncin, Executive Director, Horizons Unlimited of San Francisco Inc., offering the organization's assistance in implementing the Pier 39 (North Point Pier, Inc.) agreement (secured by the HRC regarding affirmative action employment commitments) regarding youth employment.

Director Mickins noted that he had referred this letter and an earlier one from Youth for Service with the same offer to HRC Affirmative Action Officer Ed Vurek, who is setting up a meeting with Pier 39's president to effect these offers.

- From Ms. Debra Sue Klebanoff, on referral from the Office of the Mayor, regarding her concerns over "the extreme lack of accessibility to the disabled regarding employment in the City Civil Service." Ms. Klebanoff attached information on job accessibility. A referral letter had been received at the HRC from the Mayor's Office, but without attaching a copy of her original letter. Staff contacted the Civil Service Commission referral source, who said that office had not received the original letter as well.

The HRC was reminded that this subject will be covered in the Special Meeting seminar for City departments on September 10 at the U.S. Department of Health and Human Services (formerly Health, Education, and Welfare) in the old Federal Building at 50 United Nations Plaza from 1:30 to 4:30 P.M.

- From Mayor Dianne Feinstein, announcing that this year's State of the City message will be delivered on Monday, October 6 and asking for submission of accomplishments, significant developments, and financial savings achieved by City departments.

- From Willie E. Frazier, Secretary, The Police Commission, for Dr. David J. Sanchez, Jr. President, advising that in addition to some eight meetings held to receive community input on the issue of re-establishing a Police Community Relations Unit, a public hearing was scheduled for September 3 at 5 P.M. Notice of this meeting was telephoned to staff of the HRC as well. The HRC had written urging that more public meetings be held.

DIRECTOR'S REPORT

- Seminar on Employment of the Disabled.

This previously-announced seminar, aied developed primarily for City department heads and staff, will be sponsored by the HRC on Wednesday, September 10, 1980 from 1:30 to 4:30 P.M. in Room 406 of the old Federal Building (the U.S. Department of Health and Human Services), 50 United Nations Plaza, near the Civic Center. Presentations will be given

by representatives of Health and Human Services, the Office of the California Secretary of Health and Welfare, Employment of the Disabled (a project of the United Cerebral Palsy Association), and the Independent Living Project of San Francisco.

The seminar has been coordinated by HRC Employment Representative Officer Mary Gin Starkweather and Commissioner Stratton, who is with the U.S. Department of Health and Human Services.

- Chairperson Morrissey suggested that a written record be made of the seminar proceedings, which will be cited in the HRC Minutes after the event. Commissioner Hexey suggested that the seminar might make a good subject for a projected newsletter that the Friends of the Human Rights Commission are considering establishing.

Director Mickins commented that the seminar may well be the first of its kind in the City government, aimed at showing the obligations of City departments regarding employment and accessibility of the disabled.

- HRC 1980-1981 Budget Deficit.

The oft-reported clerical error that removed some $30,000 from the authorized HRC budget for 1980-1981 still has not been rectified, despite assurances earlier to the contrary. The $30,000 vetoed by the City Comptroller's Office to "carry-over" unexpended 1979-80 budget monies in this amount will now go again before the Board of Supervisors for approval.

- Upcoming Resignation of Lloyd Cowan, Gay Liaison Worker.

Mr. Cowan, who has staffed the Gay Advisory Committee and handled complaints and community for Gay interests, will resign from the HRC staff September 30. Director Mickins said that he and others feel that the City should at long last provide funding for a full-time, permanent staff support person. Since Supervisor Kopp's originating ordinance created the service, without providing funding, Mr. Mickins said that the Gay Liaison Worker should be permanent, as those hired, as Mr. Cowan was, under the Comprehensive Employment Training Act (CETA) are limited by law to terms of only 18 months. The Commissioners were urged to make known their feelings of support for full-time, permanent staffing support.

- Ethnic and Racial Slurs Policy Adopted by Civil Service Commission.

This policy, researched and drafted by the HRC's Employment Committee with the advice and participation of outside attorneys, was adopted by the Civil Service Commission on August 18 by a vote of 3 to 1. Commissioner Darrell Salomon was the "no" vote, and it was supported by CSC members Carlota del Portillo, Louis Hop Lee, and its President, Allen C. Haile. Commissioner Gene Vieve was absent.

The policy as adopted is that a slur on the race, color, creed, national origin, ancestry, age, sex, sexual orientation or disability of another person shall be prima facie evidence of the lack of competence of the employee or official who utters it. Evidence of useage of such slurs can be entered in job performance evalutions.

Policy adoption was covered widely in the local press and nationally in the New York Times, the Los Angeles Times, and the Wall Street Journal. It was the subject of a number of Letters to the Editor contributions for several days, of a column by Kevin Starr in the San Francisco Examiner, and of an editorial in the San Francisco Chronicle on August 20.

Director Hickins read the Chronicle editorial in full, expressing dismay and shock at certain of its passages, including: "...pious disapproval of the unfortunate tendency of human beings to be occasionally rude and nasty to one another"....and"...city employees will risk their jobs and hopes of promotion and pay if they call someone a slant or a dago or a black sonofabitch or an aging fag or a feminist creep or you name it" and"...interferes with peoples First Amendment rights, which, we would argue, include the right to do a little quiet slurring now and then."

A Letter to the Editor from Civil Service Commission President Allen C. Haile of August 22 was read in full, in which he wrote that "It is my belief...that thoughts lead to words, words lead to actions, and actions lead to a destiny of prolonged bigotry."

Director Hickins said the Civil Service Commission had provided him with a copy of its implementation orders to all City departments following formal adoption of the Policy Regarding the Use of Slurs by City Officials and Employees.

****Chairperson Morrissey asked that Xerox copies of the newspaper commentary and coverage of the Civil Service Commission action be sent to all members of the HRC.

****It was m/s/c that the HRC write a letter of commendation to Kevin Starr of the San Francisco Examiner for his commentary in his column for August 20, 1980.

- Recommendation of Hearing Panel Regarding Lathrop Construction Company Appeal of HRC Finding of Noncompliance.

The eight Commissioners (Chairperson Lyon, Hezey, Edwards, Wade, Yamakawa, Giles, Chung, and Stratton) who made up the informal hearing panel took testimony from Director Hickins of the HRC (Deputy City Attorney Phyllis Walker assisted) and Roger H. Hughes, attorney for F.P. Lathrop Construction Company, and Roger Sexton, the firm's Vice-President, in the Conference Room of the Retirement Board on August 28. This was the formal appeal of a Finding by Director Hickins issued July 29, 1980, that Lathrop was in noncompliance with Minority Business Enterprise subcontracting obligations under the HRC's Affirmative Action/MBE Program.

On September 2, 1980, the informal hearing panel unanimously adopted a formal Recommendation regarding F.A. Lathrop Construction Company's bid on Airports Contract No. 1200A. The Recommendation was that the firm be awarded the bid on Contract No. 1200A, with the provise that it meet its 15% MBE commitment, and that HRC "prepare definitive language to add to the Program that designates the particular time at which a bidder will be judged on his/her intent and the means by which he/she will meet HRC goals."

Director Hickins commented that much hard work and careful consideration had gone into the deliberations, and that the Commissioners had not found this an easy decision.

Mr. David Verrett, head of the minority-owned contractor firm known as Verrett Construction Company that is part of the Joint Venture firm of S.J. Amoroso/Verrett, asked to address the HRC. Amoroso/Verrett was third, after F.P. Lathrop Construction Co. and Piombo Corporation, in the bid for Airports Commission Contract 1200A, Central Terminal Site Preparation work.

Mr. Verrett noted that his firm has bid on many contracts that require affirmative action commitments, and that it has actively and successfully recruited minority contractors to fulfill these commitments. He challenged the testimony of August 28 that held that it was difficult to find and to obtain bids from minority-owned contractors. He said that his firm recruitment goes beyond mere notification by mail, and that it is well in advance of the bid submittal deadlines. He said all contractors bidding on government contracts know that they have to conform to affirmative action and build that into preparation for their bids.

Mr. Verrett cited the extreme difficulty minority-owned businesses have in establishing themselves---backing, capital, qualifying for loans and for credit extension, and establishment of bonding status---and stressed how embittering it was to have surmounted all these difficulties to find that they can't get bids or jobs. He alleged that the HRC's recommendation (in re: F.P.Lathrop Construction Company on Airports Contract 1200A) was in effect saying to majority and minority contractors that there are exceptions in some cases to affirmative action requirements, granted when a firm says it doesn't know how to find minorityowned bidders, or that minority bids are "too high", or that they tried through mailings, or some other reason.

Mr. Verrett urged that the HRC's Affirmative Action Program be tightened up, but he emphasized that he is not challenging the hearing panel's decision or asking that it be overturned. And he re-emphasized how demoralizing it is when minority-owned businesses are trying so hard to get a foothold in the bidding process to have an exception made.

There was reaction from a number of Commissioners to Mr. Verrett's presentation.

Commissioner Mezey commended him for his statements, saying that the adopted Recommendation had been difficult for the panel to arrive at, and pointing out that it had been with the proviso that Lathrop ompany must fulfill its affirmative action goal and that the HRC's Program language be tightened so that there could be no room for misinterpretation of its rule about meeting affirmative action goals. "We want this to be the last case of its kind," she said.

Commissioner Weiner also commended Mr. Verrett for his presentation, saying that since so many people are far removed from the immediate knowledge of the day-by-day operation of a minority-owned contracting business, it was most helpful to learn how it is possible to find minority-owned contractors. The HRC had learned, he said, that they are available and a company can comply.

Mr. Verrett said he thought part of the resistance by majority contractors was the financial difficulty sometimes involved. And he stated the commitment of his firm and others to helping other minority-owned contractors obtain a measure of work in the business. He said that he had pledged years ago that if he could establish a contracting business he would help the smaller firms to get started.

Mr. James Fox Fields, Jr., Assistant Director, Bayview-Hunters Point Affirmative Action Program, who had spoken to the HRC August 14 regarding the Task Force on Apprenticeship. He said he wanted to verify that S.J. Amoroso/Verrett had recently helped his Program place six trainees to become indentured electricians.

Commissioner Giles stated that she felt it important to note that the informal hearing panel did act to have the HRC completely review its entire Affirmative Action Program. But she said that the vote to approve the Recommendation was on the fact that several interpretations could have been given under the present wording.

- Intergroup Clearinghouse.

This organization, set up at the Mayor's request, was to have met with her August 1, but the meeting had to be cancelled.

Director Mickins has met recently with several representatives of the Gay community on their continuing concern about physical assaults on Gay people/in public. He said it was reported that some Gay newspapers had suggested that Gay people arm themselves.

The Intergroup Clearinghouse Steering Committee will be called to a meeting on Wednesday, September 17, 1980 at 9A.M. in the Board Room of the Retail Clerks Union 1339 Mission Street, under the joint auspices of the HRC and the Mayor's office.

STANDING COMMITTEES

Housing and Urban Development

Pius Lee, Chairperson
Antonio Grafilo, Co-Chairperson

- Proposed Resolution Urging that Surplus School Properties Be Used for Housing-Don Hesse, Housing Representative.

Copies of the proposed Resolution were provided in advance of this meeting.

Mr. Hesse said that this action was a direct reflection of the long-term, continuing, and critical need for low and moderate-income housing in the City.

- Asked by Chairperson Morrissey to define "affordable housing," Mr. Hesse said that the old rule-of-thumb used by savings and loans firms of no more than 25% of a family or individual's gross income was at least 35% if not higher now.

One of the few remaining large blocks of available open space, Mr. Hesse said, is that property owned partly by the San Francisco Board of Education and partly by the City and County of San Francisco. Because of the closing of a number of schools due to declining public school population, some sites have been recommended by the School District for alternate use such as housing. Decisions on who technically owns this property, he said, can be dealt with by long-term leases.

The controversy over conversion to or replacement of school property by low and moderate income housing, he said, has arisen over the use of the property, the cost of housing, and the density (as permitted by zoning) to be permitted in the areas

The City Planning Department staff has made recommendations on the zoning changes to be sought and sent them to the City Planning Commission. A great deal of initial opposition to these recommendations has been expressed, largely on the issue of the density of any housing. Most organized opposition to these recommendations has been expressed, largely on the issue of the density of any housing. Most organized opposition insists on single-family, detached housing, even though, said Mr. Hesse, no such housing exists adjacent to any of the school sites in any of the neighborhoods under consideration.

The recommendations of the Planning Commission and the Board of Education are that the housing permitted on these sites be identical to that of the adjacent housing.

On this point, there followed a dialogue between Commissioner Morrissey and Hezey that broadened into discussion of major factors in housing in the City including the causes of the lack of housing, density factors, income levels, rent control, etc.

Commissioner Yamakawa said that he felt that the best use for each site had to be determined on an individual basis, with some sites being more practical for community centers, and some for housing.

After further discussion, it was

****m/s/c that the HRC adopt the Resolution Urging That Surplus School Properties Be Used For Housing. The full text is attached to these Minutes.

- Proposed Resolution Calling On City To Provide Tenant/Landlord Counseling Services.

Mr. Hesse said that all agencies dealing with housing are familiar with the continuing need to have some kind of landlord-tenant counseling service. The San Francisco Tenants Union earlier had applied for funding from the federal Office of Community Development to staff an office. OCD had asked the HRC to undertake this kind of work, but the HRC has said that this kind of counseling is far beyond the jurisdiction it serves, involves heavy staff/time it cannot provide, and deals with issues far more complex that the HRC is set up to handle. The OCD has not yet found an agency willing to do landlord-teant tenant counseling. However, it has appropriated $32,000 for landlord-tenant counseling in its final proposal for 1981.

The HRC does limited counseling now; the Bay Urban League does landlord/tenant counseling in government-subsidized projects; but there is no service in the private sector.

At least four agencies have made application for the $32,000 OCD funding: the San Francisco Tenants Union, the San Francisco Bar Association, the Residential Rent Stabilization & Arbitration Board, and the Citizens' Assistance Center.

After discussion, it was

****m/s/c that the HRC adopt the Resolution Calling on City to Provide Tenant/Landlord Counseling Services. The full text is attached to these Minutes.

POLICE LIAISON/SOCIAL ISSUES

Joan Zamora Moulton, Chairperson

- Committe Report-Jack Casford, HRC staff (in absence of Chairperson Moulton).

1. Statement on the Use of Violence as Social Protest Policy. Adopted by the HRC August 14, 1980, on recommendation of the PL/SI Committee, copies were sent to managers of local theaters and to the heads of regional and state theater associations. The Resolution had grown out of concerns over the vandalism and violence at a showing of a film, " Birth of a Nation" June 10, 1980 at the Richelieu Theater in San Francisco by a group called The International Committe Against Racism.

2. The Mental Health Advisory Board some weeks ago adopted an informed consent form for voluntary patients in City hospitals (public) in the administration of psychotropic drugs. This has been a continuing concern of the PL/SI Committee.

3. The Committee August 20 heard the second and last of two presentations on the issue of overcrowding of prisoners in City jails, particularly those with mental disturbances. In June it heard Richard Zevitz, Director of the Parole Office at the Hall of Justice. In August it heard Dr. Tom Peters, Director of Forensic Services for the Department of Public Health, and Dr. Suzanne Tavanno, Director, Jail Psychiatric Services. They described conditions and problems and possible solutions, and asked for Committee support of the Department of Public Health's application to the State Department of Mental Health, under Assembly Bill 1229, for funds to treat and house some eighty patients being returned to the City from state mental hospitals.

4. Proposed new police firearms policy concerns had been sent to the Committee by Rodney Williams, President of Officers for Justice. When the first draft has been heard by the Police Commission (scheduled September 3), it will be provided the Committee for consideration.

5. Re-establishment of the Police Community Relations Unit was to be considered in draft form, after some eight or nine public hearings, in the community, by the Police Commission on September 3. The HRC previously had urged the Chief of Police to re-establish this unit.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson
Rabbi Martin S. Weiner, Co-Chariperson

- Committee Report-Chairperson Giles.

1. Counseling Services in the Public Schools-Theodore N. Scourkes, Coordinator, Special Programs and Services, San Francisco Unified School District, spoke to the Committe at its August 21 meeting on the impact of staff reductions on counseling services.

In 1979 the ratio in the public schools was 1 counselor per 480 students; with the start of the September, 1980 school year, the ratio will be 1 counselor per 630 students. This figure, however, does not include those counselors provided under the Title I projects.

The schools have lost 32 counselors since last year, a reduction from a total of 107 to 75. Four have been cut from the federal and state projects and 28 from the District. There has been a mass reorganization in the District, Mr. Scourkes stated.

It was suggested that the Committee might ask a student intern to visit school sites to survey the status of counseling services school by school for the purposes of general public information on the subject.

The line attendance officers in the District have been reduced in force to two, but, Chairperson Giles said, this is not necessarily reflective of diminished coverage. The School District now is using a sophisticated computerized reporting system that had the practical effect of releasing counselors, who used to have to do attendance work, for other work. Letters to parents sent through this system now include the sanctions that apply for absence of students.

Commissioner Wade announced that the National Institute of Mental Health will provide 50 cents per student for counseling services to identify those students who have mental problems.

- VIACOM Cablevision Second Annual Report- Essie Thomas, HRC Staff to the Employment Committee.

The Human Rights Commission has been monitoring Viacom Cablevision since 1970. At that time, it was known as Television Signal Corporation and located at 1902 Van Ness Avenue. The present Director of the Human Rights Commission held the position of Coordinator and requested a report on the ethnic identification of the workforce of Television Signal Corporation. This request was complied with on September 14, 1970. The Human Rights Commission has been monitoring Viacom Cablevision closely since 1976.

As of March 31, 1979, the total number of Viacom employees was 128. As of May 31, 1980, that figure had increased by 53 (or a jump of 41.4%) for a total of 179. The number of male employees for 1979 of 92 increased 27.9% to 126, and the number of females 32% from 36 to 53. The number of minority males increased 27% from 27 to 37, and the number of minority females jumped 40.7% from 16 to 27. The total percentage of minorites increased from 33.5% of the total workforce to 35.6%. The goal for total minority employment with Viacom Cablevision for 1980 has been set at 39%, Ms. Thomas stated.

During the last twelve months, there were 53 new hires, including 11 minority males and 11 minority females who formed 41.5% of the total workforce, while whites were 31 or 58.5% of the workforce.

Tele-Vue Systems, Inc. is a subsidiary of Viacom International Inc. It is known in San Francisco as Viacom Cablevision. Viacom Cablevision headquarters is located at 1175 Potreo Avenue. Viacom Cablevision is operating under a Franchise with the City and County of San Francisco which was granted in 1964 and expires in 1985.

The Human Rights Commission does not have a formal Affirmative Action Agreement with Viacom Cablevision. However, there is a letter of understanding which complies with the provisions of Chapter 12B of the Administrative Code of the City.

In order for the Human Rights Commission to determine to what extent Viacom Cablevision is in compliance with Chapter 12B, it requests that they complete and return a questionnaire that is supplied by the Human Rights Commission. It also requests and receives federal EEO-1 completed forms. Ordinarily, this is done yearly.

Ms. Thomas said that generally this was a satisfactory report as regards the performance of Viacom Cablevision in affirmative action in employment. There is a need, however, for increased utilization of minority women professionals.

Her report was accompanied by two statistical tables showing job categories by ethnic group and sex for both the year ending March, 1979 and the year ending May, 1980.

NO NEW MATTERS

The next regular meeting of the HRC will be Thursday, September 25, the fourth Thursday in the month, at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment:	Thursday, September 18, 1980 9:30 A.M. 870 Market-Room 920
Gay Advisory	Tuesday, September 15, 1980 Noon HRC Offices, 1095 Market-Room 509
Housing & Urban Development	To be announced
Police Liaison/ Social Issues	Wednesday, September 24, 1980 5 P.M. HRC Offices 1095 Market-Room 509
Youth & Education	Thursday, September 18, 1980 5:30 P.M New Meeting Place: American Red Cross 1550 Sutter Street Rm 2C Second Floor

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Hickins III
via Jack Casford

HUMAN RIGHTS COMMISSION

RESOLUTION URGING THAT SURPLUS SCHOOL PROPERTIES BE USED FOR HOUSING.

WHEREAS, the San Francisco Unified School District possesses surplus school sites which it is willing to make available for development; and

WHEREAS, San Francisco is faced with an extremely critical housing situation caused by a lack of housing affordable to low, moderate and middle-income families; and

WHEREAS, in order to permit the construction of housing on the surplus school sites, it is necessary to amend the existing zoning to permit housing; and

WHEREAS, neighboring residents are advocating lower housing densities than those adjacent to the sites or non-housing uses such as open space or community facilities;

NOW, WHEREFORE, BE IT RESOLVED, that the Human Rights Commission urge the Board of Education, the Board of Supervisors, and the Planning Commission to proceed without delay to make the surplus school sites available to housing, particularly low and moderate-income housing, at densities not inconsistent with the surrounding neighborhoods in light of the critical need of the entire City for affordable housing.

Resolution 4-80
Adopted by the HRC 9/4/80

HUMAN RIGHTS COMMISSION

RESOLUTION CALLIN ON CITY TO
PROVIDE TENANT/LANDLORD COUNSELING SERVICES

WHEREAS, the City of San Francisco is primarily a Community of renters; and

WHEREAS, many tensions arise from the tenant/landlord relationship which threaten the well-being and harmony of the City; and

WHEREAS, this Commission and other City agencies receive numerous inquiries and complaints from tenants and landlords but lack the staff and resources to properly respond to those,beyond our strict jurisdiction; and

WHEREAS, the Mayor's Office of Community Development has set aside funds in the proposed 1981 Community Development Program to dund tenant/landlord counseling services but has not recommended a specific recipient;

NOW, THEREFORE, BE IT RESOLVED, that the Human Rights Commission support the decision of the Office of Community Development to fund a tenant/landlord counseling service using the 1981 Community Development Block Grant Funds to provide information and assistance to both tenants and landlords in San Francisco, and urge the Mayor and the Board of Supervisors to implement such a program.

Resolution 5-80
Adopted by HRC 9/4/80

JC;ca
9/16/80

HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, September 25, 1980

NEXT MEETING	
Date:	Thursday October 9, 1980
Time:	9:15 A.M.
Place:	Third Floor Commission Room Main Library Civic Center

DOCUMENTS DEPT.
OCT 7 1980
SAN FRANCISCO
PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: John C. Morrissey, (presiding), Lia Belli, Samuel H. Chung, Robert D. Edwards, Sister Bernadette Giles, Antonio Grafilo, Phyllis Lyon, Caryl Mezey, Clemente Obregón, Stephen A.E. Stratton, David Yamakawa.

Excused: Joan Zamora Moulton, Brenda K. Wade, Rabbi Martin S. Weiner.

Staff:

Present: Grant S. Mickins, Jack Casford, Lloyd Cowan, Joe Meza, Vicky Rathbone, Gail Roberts, Essie Thomas.

Pledge of Allegiance

Minutes of the Meeting of September 4, 1980 approved, with two typographical corrections: Page 3, next to last paragraph, last line, the name of the Civil Service Commissioner is Genevieve Powell.

Page 6, second paragraph, fourth line should read: But she said that the vote to approve the Recommendation was based on the fact that several interpretations could have been given under the present wording.

COMMUNICATIONS

From Steve Luesse, Associate Director, San Francisco Independent Living Project, clarification, in a letter to HRC staff member Mary Gin Starkweather, of the Project's involvement in efforts to develop a draft of the Nondiscrimination Ordinance of the City Administrative Code pertinent to concerns, protections, and equality of opportunity for the disabled.

This letter was read in full and discussed by Director Mickins. He said that work is still being done on preparing a final draft of proposed changes and additions to Chapter 12B (the Nondiscrimination Ordinance). Supervisor Harry Britt's staff has prepared a draft Nondiscrimination Ordinance that would include language from Section 504 of the federal Rehabilitation Act. Mr. Mickins said that discussions will continue to work out what will be a final draft proposal for changes in Chapter 12B relative to the disabled.

- From Rudy Nothenberg, Executive Deputy, Fiscal & Program Administration, Office of the Mayor, a copy of a Memorandum sent all City department heads explaining in detail the most important features of the 1981-82 budget instructions.

- From Jerry Loo·, Commissioners, Commission on Human Rights, Lincoln, Neb., requesting information about coverage of sexual preference by the HRC in its ordinances.

- From Jim Heggie, Counselor, The Employment Project of the Disabled, a copy of a letter addressed to Richard R. Heath, Director of Airports, commenting on Mr. Heath's August 25, 1980 Memorandum regarding employment of the disabled as replacements for police officers at the San Francisco International Airport.

- To F.P. Lathrop Construction Co., Roger K. Sexton, Vice President, from Stanley K. Lim, HRC Contract Compliance Officer, regarding the HRC position on Lathrop's continued failure to submit bona fide minority-owned firms as subcontractors for Airports Commission Contract 1200 A(Central Terminal Site Preparation). The letter was sent following the HRC's Hearing Panel recommendation issued September 2, 1980 which stipulates that Lathrop shall meet the 15% Minority Business Enterprise (MBE) commitment by HRC standards and definitions. Mr. Lim requested that Lathrop take immediate action to correct this deficiency with minority-owned firms that meet the HRC standards.

Read also at this time was a letter

- From Roger K. Sexton, Vice President, F.P. Lathrop Construction Company, in reply to Mr. Lim. Mr. Sexton stated that two of the MBE firms submitted objected to the HRC's stating they are not bona fide minority-owned. He closed his letter by saying that if a challenged firm was not found to be bona fide "...that because of the nature of the job and the time constraints of the project, it would be impossible to raise the level of MBE participation significantly higher than the present figure!" There was considerable discussion on these two letters. Director Mickins noted that the Lathrop position as stated means that the problem of compliance and resistance to the HRC's jurisdiction and standards remains, as it was when his original Finding of Noncompliance was issued July 29,1980, and that Lathrop apparently does not intend to fulfill its obligation.

Mr. Mickins said that the non-bona fide MBE status stems from the fact of a Caucasian owner who married a woman of Hispanic descent who, as spouse, was made holder legally of 51% of the voting stock in the company, though she has little actual management and directional duties. He noted that the HRC had met this situation before, when another company with a nonactive minority spouse with majority stock as found not legitimately a minority-owned and operated firm.

Mr. Sexton's letter also raised the issue, Mr. Mickins said, of the HRC's rejection of the MBE status of Silva Fence Company, which had claimed that its ownership was of Portugese descent. This does not qualify as a minority group in the HRC's standards.

To Chairperson Morrissey's inquiry as to whether Brazilians or other nationalities are considered minorities for purposes of affirmative action, Commissioner Giles said that the rule of thumb in designating protected nationalities or racial or etnic groups generally was those historically discriminated against in this country.

- From Martin S. Snitow, Attorney, Yettick, Chandler & Snitow, on behalf of his client, American Contract Interiors, Inc., objecting to the HRC's finding of noncompliance with MBE requirements as a bidder for the Moscone Convention Center Flooring Contract No. 4293. This letter was read in full. Mr. Snitow requested a hearing for his client.

In ensuing discussion, Mr. Mickins pointed out that Chapter 12B does not provide the right of an appeal or hearing for a bidder (as opposed to that right for a contractor) to a finding of noncompliance by the HRC. He said that this interpretation/determination had been made by counsel for the HRC in the City Attorney's Office. He said that counsel had advised that the September 2, 1980 Recommendation of Hearing Panel Regarding Lathrop Construction Company Appeal of HRC Finding of Noncompliance was actually reached not at a formal hearing, but an informal one, granted at discretion of the HRC as a matter of equity. As a matter of course, Mr. Mickins said, the HRC had allowed prospective bidders to discuss points of issue with it, but he stressed that there is no statutory provision for a remedy for the bidder.

Mr. Mickins said he is responding on this point to Mr. Snitow's letter.

The discussion touched on the HRC's role as an advisor to City awarding agencies (awarding contracts) on bidders' compliance or not with affirmative action requirements, with Chairperson Morrissey holding that since the awarding agency has the final say on a contract award, that agency has responsibility when its action is appealed. Director Mickins pointed out that the HRC has established itself and has been recognized as the determining agency as to affirmative action compliance, and that other agencies look to it and depend on it to be the final say on the matter. Director Mickins said serious enforcement problems would arise from setting a policy where awarding agencies could ignore HRC findings of noncompliance or affirmative action insufficiencies.

Chairperson Morrissey then called for an HRC examination of what resources would be provided bidders if they fail to qualify. Mr. Mickins said that since, as in the Lathrop Construction Company appeal, the HRC can, at its discretion, grant an informal hearing, this is all the due process that a bidder is entitled to.

- To Commissioner Pius S. C. Lee, a letter of commendation for his service as a member of the HRC from May 21, 1979 to his retirement September 4.

- To Kevin Starr, columnist for the San Francisco Examiner, expressing the official gratitude of the HRC (voted at its September 4,1980 meeting) for his commentary on the adoption by the Civil Service Commission of a Policy Regarding the Use of Slurs by City Officials and Employees.

- From Ernest Kwame Gardner, Librarian under the CETA program at the Main Library, a copy of a letter sent the Mayor and other City officials protesting the pending layoff of a number of CETA employees, including himself.

DIRECTOR'S REPORT

- Racial and Ethnic Slurs Policy.

The Civil Service Commission, which adopted this policy August 18, 1980, on recommendation of the HRC, issued a Memorandum to all City department, personnel officers, employees, and employee organization representatives, quoting the Policy in full, and requesting adoption by all City boards, departments, and commissions, wide dissemination,and rigorous enforcement. All were asked to notify the CSC and the HRC in writing of action taken to implement the Policy. Director Mickins said the HRC to date had received more than twelve such notices of adoption.

- Intergroup Clearinghouse.

The Steering Committee of this group, established at the request of the Mayor, met September 17, 1980. Dr. Zuretti Goosby was elected chairperson and Rita Semel Vice Chairperson. Some twenty persons attended, representing a wide range of City racial and ethnic communities. A subsequent meeting will be held October 1 in the offices of the Jewish Community Relations Council. Hadley Roff represented Mayor Feinstein at the first meeting. This was an organizational and procedural meeting.

Director Mickins met September 24 at the Office of the Mayor with a group called by Supervisor Harry Britt for a discussion of the continuing concerns over the acceleration of violent attacks on Gay persons in the City. Represenatives of the Public Defender's Office, the District Attorney, and the San Francisco Police Department also were present Superviosr Britt has called for public hearings on this issue October 9 before the Fire, Safety and Police Committee of the Board of Supervisors. Basic communication, education, and a possible hotline operation were discussed. The Mayor, Mr. Mickins said, indicated that she would ask for the cooperation of all pertinent City departments.

Mr. Mickins pointed out that the staff of the HRC will not, for the long term, be able, given its present workload, to staff the Intergroup Clearinghouse permanently, and that he feels the Mayor's Office should recommend funding for this purpose. The September 17 meeting brought many veterans of civil and human rights activities in the City together with younger community workers for a free exchange of ideas on working out solutions to these kins of civic problems. The San Francisco Police Department will be represented regularly also on the Clearinghouse.

- Fisherman's Wharf Restaurants-Hearing of HRC Appeal of Court Injunction.

Judy Teichman, of the City Attorney's Office, who was counsel to the HRC during the lawsuit brought against it in January of 1977 by Alioto Fish Company, challenging HRC affirmative action jurisdiction with Fisherman's Wharf restaurants, has advised Director Mickins that the California State Court of Appeals, Second District, will consider arguments October 14 in the appeal of the HRC to an injunction handed down by Judge Peey of the Superior Court in 1977 that "the HRC is pre-empted by the State in nondiscrimination in employment with leases, but not contractors." Fisherman's Wharf restaurants hold leases from the City's Port Commission. The HRC appealed this injunction (foribidding the HRC to require the restaurants to sign affirmative action agreements) formally in December of 1978. Ms. Teichman has advised that all cases before the Court of Appeals are not argued orally but are considered on the basis of the written briefs.

- HRC's 1980-1981 Budget

The $30,000 deficit, due to a clerical error, which has been a point of concern for some weeks, is to be a part of a supplementary budget package the Office of the Mayor has informed the HRC it is sending to the Board of Supervisors in late September.

STANDING COMMITTEES

ADMINISTRATIVE
Phyllis Lyon, Chairperson

- Recommended HRC Approval of Commission on the Status of Women Resolution Formally Requesting that the HRC Provide Administrative and Contractural Support.

A copy of the full Resolution adopted by the Commission on the Status of Women September 16, 1980 was provided each Commissioner. The COSW shares office quarters at 1095 Market Street with the HRC, and its Resolution notes that it will remain an autonomous body, but that the HRC will coordinate and provide staff and personnel services. Joseph Meza is liaison from the HRC working with the COSW, which has one Administrative Aide, Jacquie Hale.

It was
****m/s/c that the HRC formally approve the request as worded in the Resolution of the Commission on the Status of Women adopted September 16, 1980.

- Expansion of the Gay Advisory Committee.

It was decided to postpone until 1981 action requesting that the language be changed in the enabling ordinance creating a Gay Advisory Committee to enlarge its size. The Office of the Mayor is to be asked for funding to provide a permanent Gay Representative on the HRC staff. Jo Daly was the first (under CETA) Gay Liaison Worker, and Lloyd Cowan is leaving the HRC staff September 30. A CETA worker assignment is being sought to replace Mr. Cowan. Assignment of a permanent staff person as Gay Representative would be with the understanding that the HRC Director could assign him/her to other related work as well at his discretion.
*****The HRC agreed to this recommendation of the Administrative Committee.

- Nondiscrimination Ordinance Changes Reflecting Concerns of the Disabled.

The Board of Supervisors is being asked to suspend any action changing the Nondiscrimination Ordinance until the HRC has completed its discussions with the disabled community representatives on what changes are wanted and needed.

EMPLOYMENT
David K. Yamakawa Jr.
Chairperson

- Committee Report - Commissioner Yamakawa.

1. Minority/Woman-Owned Businesses in Affirmative Action Count.

Commissioner Moulton had asked the Employment Committee to consider the question of how a business owned by a woman who is a minority is considered for Minority Business Enterprise qualification. She felt that such a business should not be counted as fulfilling both categories. Vicky Rathbone of the HRC staff surveyed a number of other governmental agencies, and learned that the HRC practice of counting such a business as fulfilling both a minority and woman-owned goal is unique. But the HRC also gets separate goals for minority and woman-owned participation whereas some agencies consider these goals as one.

**** It was the consensus of the Committee to retain the present HRC policy of counting a minority woman owned firm as fulfilling both the minority and woman owned goals.

2. Commissioner Moulton also had asked that the Employment Committee reconsider its definition of the category "Hispanic" as adopted in its Policy on Racial and Ethnic Designations adopted June 12, 1980. It currently reads: c. The category "Hispanic": All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race. The "Hispanic" category does not include persons from Portugal.

It was the decision of the Committee to leave the definition as it now reads.

3. Report by Deputy Administrator of San Francisco International Airport.

This was a report on the new concessions program that is being initiated.

Early in the year, Commissioner Yamakawa said, in response to a request from the Airports Commission, the City Attorney gave a very narrow interpretation of what was possible in terms furthering the efforts of minorities and women to obtain concessions at the San Francisco International Airport. In light of this interpretation, the Airport staff has decided to keep strictly within a "small business" concept. This subject will be under discussion in the future at the Employment Committee.

4. Report from Affirmative Action Officer at Parsons/Brinkerhoff Engineering Consulting firm.

Ms. Kathie Sailer, a member of the Employment Committee, discussed various aspects of her job, including the difficulty of differing forms, reporting requirements, time deadlines, and other procedures in different states.

5. World Trade Club Report.

This report on monitoring work by Essie Thomas of the HRC staff will be brought before the HRC at a later date.

6. Policy on Sexual Harassment.

This issue is being researched at present, and will, after consideration by the Committee, be before the HRC for its action and eventually for recommendation to all City departments.

- Report on Monitoring Work with Certified Public Accountant firms, the Parking Authority and the Community College District-Essie Thomas.

Ms. Thomas described how she works with these entities to secure compliance with affirmative action requirements.

1. Only those CPAs with business volume more than $10,000 annually are monitored. Questionnaires have been sent to four CPA firms preparatory to negotiating Affirmative Action agreement.

2. The HRC has authority over seven of the parking lots operated by the Parking Authority, but seven others, on 50-year leases negotiated more than 20 years ago, are beyond its jurisdiction. Minority representation is good among parking attendants, maintenance workers, etc.. There is one woman manager, at the Union Square Garage.

3. Community College District monitoring is through HRC jurisdiction over contracts for goods and services secured through the City Purchaser's Office. One contractor to the College District is resisting listing Filipino employees separately on its workforce breakdown. Precedent for this requirement is based on State Senate Bill 1140, now part of Chapter 845 of the Government Code passed September 18, 1978. This states that Filipinos shall be listed separately if there is a population of 5,000 or more in a city or county or if those of Filipino ancestry or descent make up 5% or more of a population.

4. Viacom Television and the World Trade Club monitoring is reported separately by Ms. Thomas.

5. The San Francisco Unified School District's Affirmative Action Office gets referrals from the HRC if it receives complaints from certified employees. However, the HRC does handle other kinds of District employee complaints, using persuasion and negotiation to settle these issues.

YOUTH AND EDUCATION
Sister Mary Bernadette Giles, Chairperson

- Committee Report.

Joan Dillon, Assistant Coordinator, Office of Childrens' Services at the San Francisco Main Library, discussed the services available to San Francisco children at the last meeting of the Committee on September 18. These services are available both internally and through outreach activities of Library staff. Staff volunteers speak Chinese, Spanish, Vietnamese, and Tagalog; neighborhood libraries tailor their book selections to meet special language needs, such as Russian books in the Richmond District, where there is a large concentration of Russian-speaking children. The best service can be given where schools have librarians on the site, but Proposition 13 has meant many school librarians have been laid off. The HRC is going to learn how many school libraries still are open, and how many school libraries still are open, and how many librarians are staffing them.

- It was learned also at this meeting that the Teacher's Union is involved in providing in-service for teachers. It is possible that there may be in the future a workshop on collaboration between the schools and the Library system.

NEW MATTERS

- Commissioner Pius S. C. Lee has resigned from the HRC. He was Chairperson of the Housing and Urban Development Committe. Chairperson Morrissey appointed Commissioner Caryl Mezey as new Chairperson of the Housing and Urban Development Committee.

- The National News Council report on the CBS program, "Gay Power, Gay Politics", broadcast in April of 1980 and based purportedly on San Francisco Gay lifestyles and political activities, has been released. Chairperson Morrissey said the report condemns the CBS program as biased and unfair. The HRC communicated its concerns about the content and format of the program May 22, 1980 to the National News Council. It received an acknowledgment, but not yet a copy of the report.

- Annual Report of the HRC for 1979.

Commissioner Giles was joined by those Commissioners present [illegible] commending the high quality of staff production of the 1979 Annual Report.

- Reception for White House Advisor.

Commissioner Belli invited each member of the HRC and one guest to a reception on Friday, September 26, 1980 from 5 to 6 P.M. to a reception in honor of Ms. Sara Weddington, National Advisor to President Carter.

- Commendation of Lloyd Cowan.

Mr. Cowan, who is resigning from the HRC after 18 months(the maximum CETA authorization)as Gay Liaison Worker. His work and service was praised by Commissioner Lyon on behalf of the full HRC, and a formal letter of commendation will be sent to him.

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, October 9, at 9:15 A.M. in the Third Floor Commission Room of the Main Library in the Civic Center.

STANDING COMMITTEES

Employment	Thursday, October 2, 1980 9:30 A.M. 870 Market-Room 920
Gay Advisory	To be announced.
Housing & Urban Development	To be announced.
Police Liaison/Social Issues	Wednesday, October 29, 1980 3 P.M. HRC Offices-Room 509
Youth & Education	Thursday, October 2, 1980 American Red Cross Building 3:30 P.M. 1550 Sutter St.

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, October 9, 1980

NEXT MEETING

Date: Thursday, October 23, 1980
Time: 9:15 A.M.
Place: Third Floor Commission Room
Main Library, Civic Center

DOCUMENTS DEPT.
OCT 22 1980
SAN FRANCISCO
PUBLIC LIBRARY

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: John C. Morrissey, (presiding), Samuel H. Chung, Robert D. Edwards, Phyllis Lyon, Caryl Mezey, Stephen A. E. Stratton Rabbi Martin S. Weiner

Excused: Lia Belli, Sister Bernadette Giles, Antonio Grafilo, Joan Zamora Moulton, Clemente Obregon, David Yamakawa, Dr. Brenda K. Wade

Staff

Present: Grant S. Mickins, Frank Anderson, Jack Casford, Vicky Rathbone, Gail Roberts, Essie Thomas

Pledge of Allegiance

Minutes of September 25, 1980 approved.

COMMUNICATIONS

- From Roberto Y. Hernandez, Executive Director, Real Alternatives Program, Inc. a copy of a letter to Hadley Roff, Deputy Mayor, enclosing an article from a Spanish-language newspaper, La Verdad (The Truth), giving an account of a reported confrontation between Gay and Hispanic youth at 24th and Mission Streets. The Hernandez letter asked the Mayor's Office for a statement "clarifying the position of the Mayor in the matter." Supervisors Britt and Silver, Police Chief Cornelius Murphy, and Dick Stingel, of Community United Against Violence, also received copies of the letter.

Jack Casford of the HRC, in the absence of Joseph Meza, who had translated the article at an earlier meeting/discussion on the issue by the Gay Advisory Committee, gave a rough translation of the article for the HRC. The article stated that informants said the alleged attack by a group of homosexuals against the Hispanics (the "cholos") was planned with the participation of some elements of City government.

Commissioner Lyon said that there was no confirmation from any official source that the reported incident or incidents ever took place. The Mission Street station of the Police Department said it had no report of such a confrontation.

It was suggested that this was an issue that should be considered by the Intergroup Clearinghouse. In the ensuing discussion about the social causes for such confrontations occurring, or being reported as occurring, changing cultural values, intergroup tensions, economic displacement, competition for affordable housing, speculative real estate practices, etc., were cited Commissioner Lyon said that in 1980 the reports of attacks aginst Gay people had changed in that this year, as opposed to last year, 50% of the reported attacks were by White youth, and 50% by Blacks and Hispan

*****Director Mickins suggested that the Police Liaison/Social Issues Committee might be asked to consider this reported incident.

- From William B. Arthur, Executive Director, The National News Council, New York City, a copy of the Council's report concerning a complaint filed with it by Randy Alfred, of San Francisco, a reporter, regarding a one-hour CBS-TV network documentary film, "Gay Power, Gay Politics," broadcast April 26, 1980. The HRC has joined the Board of Supervisors officially in complaints regarding the alleged distortions and bias of the presentation. The Council report of 42 pages was referred to briefly by Mr. Mickins. Near the end of the report, under a section entitled "Council action:" it states, "The Council finds unfairness in the presentation of the sexual issues. By concentrating on certain flamboyant examples of homosexual behavior, the program tended to reinforce stereotypes. The program also exaggerated political concessions to gays and made those concessions appear as threats to public morals and decency." Nine members of the Council are reported concurring in its action, one dissenting, and one dissenting in part. Director Mickins was asked to provide copies of the report to those members of the HRC who requested them.

- From Congressman Augustus F. Hawkins, Chairman, Subcommittee on Employment Opportunities, of the House of Representatives' Committee on Education and Labor, inviting Director Mickins to appear at a public hearing October 10 in San Francisco regarding H. R. 2074, legislation (previously endorsed by the HRC) seeking to extend the protection of existing civil rights laws and prohibiting discrimination on the basis of affectional or sexual orientation. Mr. Mickins will make the statement and represent Mayor Dianne Feinstein.

- From Wilson Chang, Chair, Charter Commission, seeking financial support to "educate the voters and develop city wide confidence in the merits of the new charter".

- From Kevin Starr, columnist/writer, the San Francisco Examiner, thanking the HRC for its commendation of a recent column he wrote regarding the Policy Regarding the Use of Slurs by City Officials and Employees adopted by the Civil Service Commission, after first being written and adopted by the Human Rights Commission, August 18, 1980.

- From Henry A. Cabirac, Jr., Administrator, City of Phoenix Human Relations Division-Human Resources Department, seeking information on the HRC's work, if any, on research in courts and correctional institutions.

- From former Commissioner Pius Lee, who resigned in September, thanking the HRC for its letter of commendation for his service.

- From Gilbert Boreman, a copy of the 1979-80 Grand Jury Reports. Director Mickins read from the relatively brief section devoted to the HRC, which included the recommendation that it be allowed funds to replace office equipment now in very bad condition.

- From Mayor Feinstein, a copy of her State of the City address, delivered October 9, 1980 before the regular meeting of the Board of Supervisors.

DIRECTOR'S REPORT

- Grand Jury Reports 1979-1980

See the discussion of the Human Rights Commission section of this document in the Communications section above.

- Fisherman's Wharf Restaurants (Alioto, et al. vs. HRC)-Hearing of Appeal of Court Injunction Against HRC

Judy Teichman of the City Attorney's Office, as reported to the HRC September 25, had informed Director Mickins that the California State Court of Appeals, Second District, would hear HRC appeal on October 14.

Ms. Teichman now informs that oral arguments have been requested by the Court on November 12 at 1:30 P.M. in the State Building. The State Attorney General's Office has filed an amicus brief upholding the HRC's position (that it has jurisdiction to require affirmative action compliance under the City Administrative Code by Fisherman's Wharf restaurants who hold leases from the City Port Commission).

STANDING COMMITTEES

EMPLOYMENT
David K. Yamakawa Jr., Chairperson

- World Trade Club Annual Affirmative Action Report - Essie Thomas.

From Ms. Thomas's written report (accompanied by statistical tables showing workforce breakdowns, the visible job racial breakdowns, etc. for 1978 compared to 1980):

This survey was done in June, 1980 as a follow-up to the World Trade Club's Affirmative Action Agreement signed April 24, 1980. It covers all persons on the payroll as of December 31, 1978 through May 31, 1980.

The World Trade Club has approximately 90 employees and a lease with the Port Commission. The report compares the current year data to that collected in December, 1978.

The data is separated for the visible staff, i.e., dining room and bar staff, and non-visible staff, i.e., kitchen, office and other personnel. A separate analysis includes the visible jobs i.e. waiter/waitress, cashier, bartender, etc. All information is by race and sex.

The statistical tables include a yearly report of the total workforce and a comparative analysis for a two-year period, and also summarize, by percentage, the visible jobs for both white male/female and minority male/female; a breakdown of the more visible jobs in the restaurant industry, i.e. captain, maitre d' hostess, cashier, bartender, waiter/waitress (dining room and/or cocktail) and checkers. The breakdown is expressed both numerically and by percentage; and figures on chefs, cooks and other kitchen help. Whereas chefs and cooks are among the better paid workers in the restaurant industry, they are not visible to patrons and therefore not included in the visible category. Also included in these tables are office personnel.

The ethnic make-up of the workforce has not changed over the years that the Human Rights Commission has been monitoring this restaurant. Management actively recruited a minority person to enter into the apprentice cook program. In discussions with the restaurant regarding this particular apprenticeship, HRC was informed that this person, a minority male, "was doing quite well".

Goals: hiring, training, and promotion goals were met.

Training: There are two persons being trained as cooks; they started December 31, 1978. One is a minority male and one a white male (apprentice cooks take three years to complete). These trainees will complete their training in December, 1981.

Of special mention in the HRC's monitoring of restaurants at Fisherman's Wharf is the fact that the World Trade Club (over the years) has consistently been high in both minority representation in its workforce and in its good faith efforts to recruit minorities and women.

The Human Rights Commission has established a good working relationship with the World Trade Club and looks forward to continued mutual cooperation, Ms. Thomas said.

Ms. Thomas added that the World Trade Club workforce remains quite stable, and that one year to the next the minority-majority balance may shift from slightly over half for one category (e.g. 51% majority, 49% minority) to the reverse. She responded to several commissioner questions following her formal presentation.

Commissioner Edwards commended Ms. Thomas for her written and oral report.

- Progress Report in HRC Implementation of the Office of Revenue-Sharing Agreement of 1978 - Frank Anderson.

Mr. Anderson, who has been the HRC's professional staff person responsible for directing and implementing its mandate to effect affirmative action employment plans through the City departmental structure, gave a brief resume of the ORS Agreement implementation.

The Mayor of San Francisco in 1979 signed a formal Agreement approved by the Board of Supervisors with the federal Office of Revenue Sharing to settle the action initiated by Latinos for Affirmative Action in 1978 charging that the City of San Francisco discriminated against Hispanics in its internal Civil Service hiring policies. The ORS Agreement named the HRC, along with the Civil Service Commission, as the agency empowered to work out City departmental affirmative action plans and to share, with CSC, the responsibility for certifying acceptable plans for adoption and implementation.

The HRC's technical assistance work under the Agreement began in April of 1980. Both the General Manager of the Civil Service Commission and the Mayor lent the weight of their authority in making it clear to the heads of all City departments (52 all together) the urgency of this undertaking.

Mr. Anderson and a member of the CSC staff began meetings with individual heads of City departments in May. He said it had been very surprising in some instances to find department heads expressing lack of awareness that affirmative action might be needed, or that their departments might in any way not be representative of the City's diversified workforce. Many wanted to amend the ORS Agreement, which was not possible.

Mr. Anderson said this was the first time that City department heads had ever been asked to survey their workforces from the aspect of any problem areas in representation. He said that not one department head he had contacted felt he or she had any kind of staffing problem from an affirmative action standpoint. It had, then, said Mr. Anderson, become a task of raising the consciousness of City department heads on the need for the program, and of obtaining commitments to correct inequities.

By the deadline of September 15, 40 City departments had submitted affirmative action plans to the HRC and CSC for study and for certification. Though there is a total of 52 City departments, some could be consolidated because of their inter-relationships in function. Those departments that were delinquent as of the September 15 deadline were notified officially from the Mayor's Office that compliance was expected.

Mr. Anderson said he expected that by the week of October 13, all plans will be submitted. At that time the HRC will begin its review and certification process. Mr. Anderson stressed that HRC/CSC certification is done independently and not in concert. If there is a disagreement between the two commissions on any particular plan, the Mayor's Office will resolve it.

The CSC begain its certification October 6, when it approved the affirmative action plans of the Fire Department, the City Assessor's Office, and the Juvenile Court.

In response to questions from the Commissioners, Mr. Anderson said that the available workforce in San Francisco as reported in the United States

Census for 1970 (the most recent figures obtainable until final figures for 1980 are released) is the criterion used in setting representational goals for affirmative action plans.

The long-range goal (as required by the ORS Agreement) was to bring all City departmental workforces into parity with the 1970 (eventually, 1980) CEnsus figures. The short-range goal based on the last attrition (of a City department) is to obtain a commitment of a given number of jobs to correct deficiencies. This led into a somewhat detailed discussion of how workers are certified for jobs, and how availability as a factor is considered, e.g., when it is found that a minority group, say Hispanic, does not have representation of any significance in a given job classification. Mr. Anderson noted that, for example, it was found that there are virtually no Hispanic embalmers in the State. This could lead to an emphasis on Civil Service and other agencies to step up training and recruitment in certain work areas among certain groups.

Each department, Mr. Anderson said, is surveyed as to the race, sex, and job classification statistics, and if any ethnic group is under-represented in the workforce, then goals must be set to raise its participation. Commissioner Edwards commended Mr. Anderson for his presentation.

YOUTH AND EDUCATION

Sister Bernadette Giles, Chairperson

- Committee Report

As a follow-up to previously-expressed HRC concerns about the impact on library services to San Francisco Unified School District students of Proposition 13 cutbacks, the Committee invited Ms. Carol Choye, Coordinator of Curriculum, to its October 2nd meeting. Ms. Choye is responsible for elementary school libraries and the acquisition of textbooks. Eight of the libraries first closed have been reinstated. Four of the elementary school librarians have been assigned to Parkside School. Seventy-three of the elementary schools have libraries; twenty-eight are staffed with paraprofessionals, but nineteen have no librarians. Eleven of the libraries are federally-funded, and others have either paraprofessionals or a cadre of volunteers and parents.

The meeting of the Youth & Education Committee on November 6 at Parkside School will have the input of Ms. Choye and Ms. Joan Dillon, Coordinator, Childrens Division, Main Library. That meeting also will address the question of the effect of Proposition 13 cutbacks on counseling services to students in the San Francisco Unified School District. Commissioner Weiner commented that the schools may perhaps be getting a bad image of "destroying" counseling services, when actually such work may be being provided in other ways through professional staff and faculty or through federally-funded staff.

- Commissioner Stratton, apropos of a reference to a story appearing on this date in the San Francisco Chronicle that the book, "Mary Poppins" was the subject of dispute over whether it had been removed from public access shelves of the San Francisco Public Library because of charges that it contained racist or sexist reference, suggested that Director Hickins, on behalf of the HRC, inquire in writing of the Library Commission and the San Francisco Unified School District if there were a written policy covering prohibition of printed materials and their purchase and/or display in libraries and who makes the determinations based on the policies.

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, October 23, 1980 at 9:15 A.M. in the Third Floor Commission Room of the Main Library.

STANDING COMMITTEES

Employment	Thursday, November 6, 1980 9:30 A.M. - 870 Market Street - Room 920 San Francisco, Ca.
Gay Advisory	Tuesday, November 4, 1980 Noon - HRC Offices - Room 509 San Francisco, Ca.
Housing & Urban Development	To Be Announced
Police Liaison/Social Issues	Wednesday, October 29, 1980 3 P.M. HRC Offices - Room 509
Youth & Education	Thursday, October 16, 1980 3:30 P.M. - Room 2C, 1550 Sutter Street American Red Cross Building

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins
via Jack Casford

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, October 23, 1980

NEXT MEETING	
Date:	Thursday, November 13, 1980
Time:	9:15 A.M.
Place:	Third Floor Commission Room Main Library, Civic Center

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

DOCUMENTS DEPT.
NOV 3 1980
SAN FRANCISCO
PUBLIC LIBRARY

ROLL CALL

Commissioners

Present: Phyllis Lyon, (presiding), Samuel H. Chung, Sister Bernadette Giles, Robert D. Edwards, Joan Zamora Moulton, Rabbi Martin S. Weiner

Excused: Lia Belli, Caryl Mezey, John C. Morrissey, Clemente Obregón, Stephen A.E. Stratton, David Yamakawa, Dr. Brenda K. Wade

Staff

Present: Grant S. Mickins, Jack Casford, Joe Meza, Vicky Rathbone, Gail Roberts, David Treanor.

Pledge of Allegiance

Minutes of the Meeting of October 9, 1980 not approved due to lack of a Quorum.

COMMUNICATIONS

- To Lloyd Cowan, thanks for his service as the Gay Liaison Worker on the HRC staff from 1978 to 1980. Mr. Cowan resigned at the conclusion of his 18-month CETA appointment.

- To Edward Bransten, President, Library Commission, a request for information on whether there exists any written policy used in the selection, review, distribution, and display of books or periodicals for the Library system. Commissioner Stratton had requested this action at the HRC meeting of October 9.

- To R.V. Romero, Regional Director, U.S. Department of Commerce, Minority Business Development Agency, re-submitting the HRC's application for funding for a minority business development program for the City. A prior application was made December 20, 1979. Joseph Gavin, City Purchaser, is working with the HRC in this area.

- From Mayor Dianne Feinstein, a Memorandum sent to all department heads, asking that the response to the Grand Jury Report go directly to the Clerk of the Board of Supervisors, with a copy to the Mayor's Office.

Director Mickins commented that the Grand Jury Report for 1979-80 was "satisfactorily favorable" to the Human Rights Commission, recommending that it receive more staff resource support, and have jurisdiction over the auditing and monitoring of contracts let by all City agencies including the Public Utilities Commission, with which HRC now has only a "working relationship."

- From Thelda Poteet, Assistant Administrator, San Francisco General Hospital, a copy of a letter to Lonnie Bratt, Business Representative, Local 250- Hospital and Institutional Workers Union. Copies were sent to many individuals, the Board of Supervisors individually, the Civil Service Commission members, the San Francisco Labor Council, and federal and state agencies, stating the position of the hospital regarding a protest over the appointment of a Director of Housekeeping.

DIRECTOR"S REPORT

- HRC's Affirmative Action Plan (for its own staff).

This seventeen-page document was submitted to the Civil Service Commission along with the 44 other City and County departments as a requirement under the Office of Revenue-Sharing Agreement. The HRC has been reporting on its work with City departments in getting their individual plans written, adopted, and submitted to both the HRC and the Civil Service Commission as required also under the ORS Agreement.

As of September 1, 1980, the HRC staff was 36% White, 40% Black, 16% Hispanic, and 8% Asian. There were no Filipino or American Indian employees, and the HRC is actively recruiting in those communities. The male-female breakdown was 48%-52%, respectively. There are 25 employees, both permanent Civil Service and CETA (Comprehensive Employment and Training Act).

- Financial Information and Resources Management (FIRM) Project.

The Commissioners were provided two draft documents, prepared by HRC staff Gail Roberts to comply with the Program Performance Measurement Handbook guidelines from the Resources Management Program in the Office of the Mayor. The HRC, with all other City departments, is being asked in furtherance of a program budget to state community goals, programs, and activities according to a precise format for purposes of setting measurable objectives and accounting for expenditures and achievements. Ms. Terri Simpson, HRC Liaison from the Mayor's Office, was present and participated in the detailed discussion among Commissioners and staff.

Ms. Simpson said the HRC is to convert into the FIRM system by the beginning of the 1982 City budget year. She said that FIRM is an attempt to match the expenditure of City monies with the delivery of services, and to monitor performance of departments in terms of objectives set and met.

Commissioners Weiner and Giles initiated discussion on the position that the Human Rights Commission and its work in the field of human and civil rights performs many services that are not measurable, as services of City departments that, for example, repair streets, can be. They questioned how any system, such as FIRM, that calls for specific objective statements, with specific, statistical goals, can be applied to the oftentimes intangible activities of the HRC.

Commissioner Giles commented that while the documents so far prepared may conform to the Measurement Handbook, in her opinion they did not reflect what the HRC actually does or what it actually means to the City community in terms of job opportunity, nondiscrimination, quality education, housing needs, etc. She saw no indication, she said, of the breadth of social issues with which the HRC has been dealing, and continues to deal.

Ms. Simpson was asked about a deadline for submission of the required material for FIRM, and said that the Program Goal is to be in to the Resources Management Program by November 3; the Activities and Objectives of the Program will be submitted later, for incorporation into the project implementation plan by ... February of 1981. She said that other City departments have found that simplicity and conciseness have been the best guidelines to follow in at least their first year of participation in FIRM.

After further discussion, to which Commissioners Chung and Moulton contributed, it was

*****m/s/c that the FIRM documentation preparation be referred to the Administrative Committee, which is to meet before November 3, and which is, further, to bring back a recommended ratification of a completed document/program to the HRC at its meeting of November 13.

The Administrative Committee meeting was set for Thursday, October 30, at 8:30 A.M. in Room 509 of the HRC Offices.

STANDING COMMITTEES

Youth and Education
Sister Bernadette Giles, Chairperson

- Friends Outside Youth Training Program - Ms. Jaqui Lewis, Program Coordinator.

Ms. Lewis had made her presentation before the Youth & Education Committee earlier.

The Friends Outside (itself a community service agency for assistance, counseling, re-entry, and other programs on behalf of prisoners, families and ex-offenders) Youth Training Program provides training for economically-disadvantaged youth between 18 and 21, and is funded through the U.S. Department of Labor's Comprehensive Employment and Training Act grant administered by the Mayor's Office of Employment and Training. Thirty percent of the trainees are ex-offenders or members of ex-offender families.

The Youth Training Program seeks to teach marketable skills for placement in jobs in the printing industry. Instruction and training in all phases of printing are provided 63 students annually, and Ms. Lewis said that 80% (or 50) of them annually are placed on the job. Ninety percent are placed as press operators. Classroom training is conducted at Mission Community College, and is suplemented by private sector shop experience in shops throughout the Bay Area.

Ms. Lewis stressed that applicants to the program must have least a fifth-grade level of basic educational skills, but that those who do not at first qualify are channeled into literacy training and encouraged to try again. She described the building of self-esteem in the students as important a goal as the teaching of marketable skills, and said this confidence in ability was a factor in the job-retention rate of 80% for program graduates.

Job development is continuous in the program, given that the printing industry, a trade that is one of the oldest in this country, is tradition bound, with five to seven years required to achieve journeyman status. Women are recruited actively for the training program, because the trade has been and remains a male-dominated one. Most placements are in small shops of fewer than six persons, with very little entry thus far into large, unionized shops.

Ms. Lewis was commended for the enthusiasm of her presentation and for the achievements of the Friends Outside Youth Training Program.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Letter of Mayor Feinstein In Support of the Intergroup Clearinghouse.

Copies of the draft of a letter the Committee is writing to the Mayor were distributed. The Committee asks why the Mayor has not yet officially announced the formation of the Intergroup Clearinghouse, a Citywide representative group of civic, religious, racial, ethnic, and community-serving agencies.

The HRC Director earlier has reported on the meetings of the Clearinghouse to the HRC, as he was asked to form it initially by the Mayor's Office. The Gay Advisory Committee's special interest, the letter says, is the role the Clearinghouse could have in reducing the fears of the Gay community because of the number of physical attacks being made on them in public in the City.

EMPLOYMENT

David K. Yamakawa Jr., Chairperson

- Committee Report - Vicky Rathbone.

1. At the last Employment Committee meeting, there was considerable discussion on a proposed Policy to Prohibit Sexual Harassment Among Civil Service Employees, which the HRC would eventually submit to the Civil Service Commission with a recommendation for adoption, as well as seek its inclusion in Chapter 12B wording.

Frank Quinn, Regional Director of the federal Equal Employment Opportunity Commission, discussed the newly-adopted federal regulations on sexual harassment (which Ms. Rathbone read verbatim), and there was input from a representative of Women Organized for Employment, and others.

Ms. Rathbone said the general feeling was that the HRC's first draft Policy was too narrowly-worded, and that it should be closer to the EEOC's broader wording. There was discussion as well of including, in addition to overt verbal or sexual harassment, offensive graffiti or the posting of pornographic or Playboy-type pictures in work places, Ms. Rathbone said.

Work at the Committee level will continue on the drafting of this proposed Policy.

2. Revision of the HRC Affirmative Action Program for Construction Contracts.

Stanley K. Lim, HRC Contract Compliance Officer, has drafted a newly-revised HRC Affirmative Action Program for construction contracts, to reflect new U.S. Department of Transportation requirements, include Women Business Enterprise, clarify the forms submission procedure, and update the qualifying Minority Business Enterprise size standards.

NO NEW MATTERS

CALENDAR MATTERS

- The next regular meeting of the HRC will be Thursday, November 13, 1980, at 9:15 A.M. in the Third Floor Commission Room of the Main Library.

There will only be one meeting in November. The fourth Thursday regular meeting date is Thanksgiving Day, a legal holiday.

STANDING COMMITTEES

Employment	Thursday, November 6, 1980 9:30 A.M. 870 Market Room 920
Gay Advisory	Tuesday, November 4, 1980 Noon-HRC Offices - Room 509

Housing and Urban Development	To be announced
Policy Liaison/ Social Issues	Wednesday, October 29, 1980 3 P.M. - HRC Offices - Room 509
Youth and Education	Thursday, November 6, 1980 3:30 P.M. - American Red Cross Building 1550 Sutter - Room 2C.

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

GSM:JC:sa
10/28/80

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, November 13, 1980

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****
* NEXT MEETING *
*
* Date: Thursday, December 11, 1980 *
* Time: 9:00 to 11:30 A.M. *
* Place: Commission Room Third Floor *
* Main Library Civic Center *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Samuel H. Chung, Sister Bernadette Giles, Robert D. Edwards, Phyllis Lyon, Caryl Mezey, Clemente Obregón, Stephen Stratton, David Yamakawa.

Excused: Lia Belli, Antonio Grafilo, Joan Zamora Moulton, Rabbi Martin S. Weiner, Brenda K. Wade.

Staff:

Present: Grant S. Mickins, Jack Casford, Linell Harden, Stanley Lim, Joe Meza, Vicky Rathbone, Gail Roberts, Essie Thomas, Jackie Winnow.

Pledge of Allegiance

Minutes of October 23, 1980 approved.

COMMUNICATIONS

- From Walter E. Hoadley, Co-Chairman, Mayor's Fiscal Advisory Committee, inviting Director Mickins to a meeting of "ranking City officials, and key business and community leaders" November 18, to assess what has been accomplished under the Mayor's request that the Committee seek to "improve management skills and reduce costs in City government." The Mayor also sent a Memorandum to all Senior Managers urging their participation.

- From R. V. Romero, Regional Director, U. S. Department of Commerce, Minority Business Development Agency, informing that the HRC's application for a grant from MBDA to support a minority vendor development program awaits an "extensive program review for this type of program which will not be completed before FY 82."

- From Martin L. White, Marketing Director, Bay Area Business Development Center, a copy of a letter to Richard Heath, Director of Airports, San Francisco International Airport, with copies to the Mayor and to Dr. Zuretti L. Goosby, Chairperson of the Airports Commission, outlining some problem areas, with suggested changes, for minority businesses in bidding for concession participation at the Airport.

- From J. Peter Singer, Deputy Director of Airports, Business and Finance, a copy of his reply to Mr. Martin L. White (see above), and stating that "...many of the problems you perceive have already been addressed by the Airports Commission and our staff, working closely with the Human Rights Commission, in an attempt to increase the opportunities for minority business persons."

- From Jo Ann Hendricks, Chair, City Animal Control & Welfare Commission, a copy of a letter sent the Housing Authority regarding its lease conditions covering the ownership of animal pets by residents of HA buildings, and suggesting the HRC be one of several City agency members of a review board. A meeting was held November 6, 1980 by the Animal Control and Welfare Commission jointly with Supervisors Edward H. Lawson, Ella Hill Hutch, and Doris M. Ward (at their invitation).

- From Wayne H. Alba, a copy of a letter sent the Editor of the San Francisco Chronicle. Mr. Alba protested what he called being "grossly misquoted" in a Chronicle by-lined article October 27, 1980 on Supervisorial candidates for the November 4 election. The exact quote from the article:

"One of Alba's big beefs is the low representation of Filipinos on city boards and commissions. When they are appointed, he complained, they are relegated to the "garbage" commissions, such as Human Rights, which have little real power or influence."

Mr. Alba wrote the Chronicle that "Although the Human Rights Commission might not have the power and influence of the Public Utility (sic) or the Civic Service Commissions, for example, it nonetheless cannot be considered as a 'garbage commission'! For the record, my statement to your reporter was that the Filipino-American representation on appointed commissions and boards in the past was offered like garbage to be fought over by aspirants within the community."

- From Mayor Dianne Feinstein, a copy of a Memorandum to all Department Heads and Agency Directors, asking that they review employee classes to identify those positions providing mobile or stationary protective services, as part of a project to possibly consolidate related/security position classifications.

- From Allan Seid, a member of the California State Board of Education, via Michael W. Kirst, President of the Board, to Commissioner Yamakawa, materials relative to the State Board of Education's consideration of a change in the legal compliance review process for instructional materials at the November 12, 1980 meeting of its Policies and Programs Committee No. 1.

*****This material was referred to the Youth & Education Committee, as it pertains to concerns over alleged racist or sexist materials.

- From John C. Frantz, City Librarian, a copy of a proposed (but never adopted) San Francisco Public Library Children's Materials Selection Policy of May 12, 1978, in response to the HRC's October 16, 1980 request (made by Commissioner Stratton) for any such written policy.

*****This material was referred to the Youth & Education Committee

- From Roger M. Hughes, of Bell, Rosenberg, Spinetta & Randick, attorneys for F.P. Lathrop Construction Company, a Notice of Appeal of the Director's Finding of October 31, 1980 of Noncompliance with the HRC's Affirmative Action Program and Chapter 12B of the Administrative Code on Airport Contract #1100, Boarding Area "E" a contract of nearly $12 million.

Director Mickins noted that the HRC still is working to fully implement the HRC's Recommendation on another contract Lathrop, held a Recommendation made in September after a formal hearing on Lathrop's Appeal of a Director's Finding of Noncompliance.

DIRECTOR'S REPORT

- HRC Budget 1980-81.

The clerical error that resulted in the short-fall of some $30,000 in the HRC's approved budget for 1980-81 was corrected by the Board of Supervisors November 10 after many meetings in advance, and its restoration

ends the crisis.

- Proposed Revisions in Chapter 12B--the Britt Amendment.

The Governmental Services Committee of the Board of Supervisors will meet at 2 P.M. November 14 in Room 228 of City Hall to act on the proposed amendments by Supervisor Britt to Chapter 12B of the Administrative Code. The extensive amendments, which Director Mickins said could have a disastrous effect on the HRC's ability to fulfill its mandate with its present staff complement, pertain largely to the addition of provisions for handicapped or disabled persons and reasonable accommodation.

Mr. Mickins said that these proposed revisions had required extensive research and staff work by the HRC, and noted that the HRC has already taken the official stance that as presently worded they would seriously deter its contract compliance function.

The HRC has, he said, tried to present its position to the proponents of the Britt amendment a number of times without success. Supervisor Britt has not returned Mr. Mickins' telephone calls on the subject. The HRC twice has reported formally in writing to the Board of Supervisor asking that it not pass the Britt amendment in its present form until the HRC could have input on what could be worked out that is feasible.

Director Mickins said the HRC holds that including Section 504 of the federal Rehabilitation Act of 1973 is incorrect, and that Section 503, instead, has applicability to the affirmative action rights of disabled people. The amendment was prepared by a member of the City Attorney's staff per Supervisor Britt's instructions.

The HRC, Mr. Mickins emphasized, is receptive to suggestions for needed improvements in Chapter 12B, but feels that the Britt amendment if adopted without change would make implementation of all the inclusive language suggested a "near-impossible burden" on the HRC.

Director Mickins said he has asked Phyllis Walker, an attorney on the staff of the City Attorney, to meet with him immediately for a review of the Britt amendment and the upcoming hearing.

Leroy Cannon, now Counsel to the San Francisco Unified School District, who was instrumental in the writing of Chapter 12B in 1966, has told the HRC that the Britt amendment language is "highly inappropriate" and does not comply with Executive Order # 11246, the federal contract compliance guidelines.

Director Mickins and other members of the HRC will attend the November 14 Government Services Committee hearing.

- Intergroup Clearinghouse.

Mayor Feinstein formally announced her suppport for the Intergroup Clearinghouse at a press conference held in her office November 7. The HRC's Gay Advisory Committee earlier had written to her urging that such a public announcement not be delayed by her office.

There was press coverage of the announcement that the Mayor fully supports the broad-based Intergroup Clearinghouse to have a mediating and preventative role in identifying, resolving, and defusing community crisis situations.

The Clearinghouse Steering Committee meeting of November 12 attracted some 40 participants, and the main item for discussion was a brutal physical attack on three persons, alleged by Hispanic youths, in Dolores Park on November 9. A subcommittee was formed immediately, and met November 13 at the HRC, bringing together representatives of Gay and Hispanic youth organizations to work on resolution of the tense relationships in the community.

An ad hoc committee also was formed by the Intergroup Clearinghouse to draft a budget to present to the Mayor for operational and staff support expenses.

- Finding of Noncompliance Against F. P. Lathrop Construction Company.

See Communications section of these Minutes. Mr. Mickins said he expected an HRC hearing within the next sixty days on the appeal the company has filed regarding the Finding applying to Contract #1100 at San Francisco International Airport.

Two other Matters regarding the Lathrop firm also are being investigated by the HRC to see if there is a basis for a Director's Finding.

- Alioto Fish Company et. al. vs. HRC.

The California State Court of Appeals, First District, heard oral presentations November 12 in San Francisco in the State Building on this long-standing HRC appeal of an injunction handed down by Judge Peery in Superior Court in 1977 that "the HRC is pre-empted by the State in nondiscrimination in employment with leases, but not contractors." At issue are HRC employment affirmative action efforts with Fisherman's Wharf restaurants holding City leases from the Port Commission.

Judith Teichman of the City Attorney's Office represented the HRC. An amicus brief for the HRC's position was filed by the State Attorney General's Office.

Director Mickins reviewed in some detail for the HRC the legal points made in this case.

The Court asked attorneys for both sides to return in ten days with responses to whether the HRC ever made an administrative determination of the fact of employment discrimination in the Fisherman's Wharf restaurants, or whether the City instituted an Affirmative Action Program on the basis of having established that there was such discrimination on the Wharf.

Chinese for Affirmative Action also filed an amicus brief on the HRC position, and Sam Casey, its attorney, participated in the Court procedures November 12.

STANDING COMMITTEES

EMPLOYMENT
David K. Yamakawa Jr.
Chairperson

- Policy on Sexual Harassment.

Work is not yet complete on this document, and it will therefore be coming to the HRC at a later date.

- Revised HRC Affirmative Action Requirements for Construction Contracts. Stanley Lim.

Copies of the Third Draft of this document, revised as of November 12, 1980, at a special meeting of the Employment Committee, were provided the Commissioners. Called, officially, the "Human Rights Commission Affirmative Action Program for Construction Contracts," it covers twelve pages, and includes two forms, and it is part of every contract in construction which the HRC monitors and implements.

Mr. Lim said that the revision of the original document, adopted first ; June 8, 1974 then in a revised version June 28, 1979, was to correct flaws that had been brought out in a recent Noncompliance appeal hearing, and to conform to guidelines recently established by the federal Department of Transportation. Also a factor in the revision was the built-in requirement made in 1979 by the HRC that the contract dollar amounts for minority entrepreneurship goals be periodically adjusted to reflect the inflationary factor. An overall revision goal, of course, was to streamline the language and make it more clear and effective.

Mr. Lim introduced Mr. Lon Hanke of the Associated General Contractors Association who has suggested certain ideas in the preparation of the document and participated in the discussion at this meeting.

Mr. Lim then went through the revised Program document paragraph by paragraph pointing out the changes or amendments recommended, and accepting minor suggestions from members of the HRC, such as the use of explanatory footnotes.

In Part III, MINORITY BUSINESS ENTERPRISE PROGRAM, under Establishing Goals for Equal Opportunity in Entrepreneurship, 3. c. the proposed sentences that pertain to a WBE (Women-owned Business Enterprise) percent goal, there took place a protracted discussion that involved every Commissioner, and several members of the staff for some 90 minutes. It was finally

*****m/s/c that it read, "As an additional requirement to 3a or 3b, a WBE goal of _____percent is established for this contract. The WBE goal shall be determined on a contract-by-contract basis, which may be up to 3 percent of the base bid."

It was decided to
*****approve the changes and additions to the Human Rights Commission-Affirmative Action Program for Construction Contracts (which includes its Rules of Procedure) and submit it to Phyllis Walker of the City Attorney's Office subject to her review.

Commissioner Yamakawa commented that the Employment Committee had forwarded the revised Affirmative Action Program to the HRC for its action, but without endorsement, for the following reasons:

1. There are still concerns that the federal minority definitions are not consistent in all agencies, and that the HRC, under various federal contract requirements in compliance monitoring might be restricted in applying the definitions adopted in the revised Affirmative Action Program. For example: the HRC does not include Portugese under Hispanic, but some federal agency may do so.

2. While the proposed changes are improvements, in terms of the overall goals, there are concerns about employee goals being maintained as they are. The Committee will be addressing this subject in the beginning of 1981, including goals for women..

3. Concern about delegation to the Director of final determination whether a bidder has met MBE bid requirements.

ADMINISTRATIVE
Phyllis Lyon, Chairperson

- Committee Adoption of HRC Program Structure.

This outline, which has been submitted to the Office of the Mayor as part of the budget process recently instituted for all City departments, was an informational item only, and discussion was postponed to the December 11 meeting of the HRC.

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Chairperson

- Recommended Endorsement of Clayton Street Community Living Center- Emmett Rosebrough, Coordinator.

The Committee had voted to endorse the concept and principle of this community-based inmate-parolee facility providing housing, job training, and counseling services for individuals referred from federal, State, and local correctionalfacilities.

Mr. Rosebrough will appear before the HRC December 11 to seek its formal endorsement, but the Committee will write him its endorsement in the meantime.

YOUTH AND EDUCATION
Sister Bernadette Giles, Chairperson

- Committee Report.

Postponed to the December 11 meeting.

NEW MATTERS

CALENDAR MATTERS

The next regular meeting of the HRC will be Thursday, December 11, 1980 at 9 A.M. (NOT 9:15 A.M.) in the Third Floor Commission Room of the Main Library in the Civic Center. This meeting previously had been scheduled for Congregation Sherith Israel. This meeting must be over by 11:30 A.M. so another group can have the Commission Room. There will be no meeting on Thursday, November 27, 1980, which is Thanksgiving Day, a legal holiday.

STANDING COMMITTEES

Employment	Thursday, December 4, 1980 9:30 A.M. 870 Market-Room 920
Gay Advisory	Tuesday, December 2, 1980 Noon, HRC Offices, 1095 Market-Room 509
Housing & Urban Development	Tuesday, November 25, 1980 2 P.M. HRC Offices, Room 509
Police Liaison/ Social Issues	Wednesday, December 10, 1980 3 P.M. HRC Offices - Room 509
Youth & Education	Monday, November 17, 1980 John Adams Community College Center 1860 Hayes Street - Room 136

No Remarks from the Audience

Adjournment

Respectfully submitted,

Grant S. Mickins III
via Jack Casford

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HUMAN RIGHTS COMMISSION

OF THE CITY AND COUNTY OF SAN FRANCISCO

Minutes of the Meeting of Thursday, December 11, 1980

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****
* NEXT MEETING *
* Date: Thursday, January 8, 1981 *
* Time: 9:15 A.M. *
* Place: LURIE ROOM, FIRST FLOOR *
* Main Library, Civic Center *
****

NOTE

See under Calendar Matters Section of these Minutes the schedules of the HRC's regular Standing Committee Meetings

ROLL CALL

Commissioners

Present: John C. Morrissey (presiding), Samuel H. Chung, Sister Bernadette Giles, Robert D. Edwards, Phyllis Lyon, Caryl Mezey, Joan Zamora Moulton, Stephen Stratton, Brenda Wade, Martin S. Weiner, David Yamakawa.

Excused: Lia Belli, Antonio Grafilo, Clemente Obregon.

Staff:

Present: Grant S. Mickins, Jack Casford, Matt Cohen, Don Hesse, Joe Meza, Vicky Rathbone, Gail Roberts, Essie Thomas.

Pledge of Allegiance

Minutes of Meeting of November 13, 1980 approved.

COMMUNICATIONS

- From Rufus Garrett, Director, Bayview-Hunters Point Affirmative Action Program, a copy of a letter sent to Mr. Lon Hanke, Manager, San Francisco District, Associated General Contractor, with copies to the Mayor, and some other City officers, and to Supervisor Doris Ward, regarding Mr. Hanke's letter sent to the City Attorney regarding the Memorandum of Agreement, which applies to employment commitments in the Hunters Point area.

- From John J. Walsh, General Manager, Personnel, Civil Service Commission, a Memorandum of November 13 sent to all City departments regarding Rule Change 80/81-5 relating to the filing, processing, and resolution of complaints of alleged discrimination.

- From Donald J. Birrer, Executive Director, San Francisco Clean Water Program, a copy of a letter to Mr. Raymond Walsh, Chief, Division of Water Quality, State Water Resources Control Board, regarding Minority and Woman-Owned Minority Business Enterprise Participation (Architectural and Engineering Consultants) in the San Francisco Clean Water Program. Mr. Birrer attached a proposed Memorandum of Understanding between the HRC and the State Division of Water Quality to resolve differences between the HRC and state MBE requirements. The HRC has been informed that this Memorandum of Understanding will be approved.

- From Rodger Dillon, Secretary-Treasurer, Local 87, Service Employees International Union, AFL-CIO, complaining that a building maintenance firm holding a contract for janitorial services at the Community College Downtown Center is in noncompliance with parts of Chapters 12B. Director Mickins said the HRC has asked that Local 87 file a formal complaint with it in order to carry out an investigation.

- From Lucio C. Raymundo, Sr., President, Filipino American Council of San Francisco Inc., offering to provide candidates for HRC job openings.

- From Gilbert H. Boreman, Clerk of the Board of Supervisors, writing at the direction of Supervisor Carol Ruth Silver, urging all leaders of the Spanish-speaking community to work with government and social organization leaders regarding tensions over assaults and stabbings of individuals on the public streets.

- From Manuel Garcia, Acting Executive Director, Sacramento Human Rights Commission, asking that other commissions join it in proclaiming December 10 as Human Rights Day.

- From Judith Teichman, Deputy City Attorney, a copy of the Appellants' Supplemental Brief on Affirmative Action she has prepared on behalf of the HRC and submitted to the Court of Appeal of the State of California, First Appellate District in the case of Alioto's Fish Company, Ltd., et al., versus the HRC.

- From Dorothy Yee, Civil Service Commission Equal Employment Opportunity Unit, notice that the Civil Service Commission on November 6, 1980 adopted the HRC's Affirmative Action Plan, which is part of the Office of Revenue Sharing agreement with the City which the HRC itself is implementing with all City departments.

- From Philip S. Day, Jr., Director, Office of Emergency Services, a communication addressed to all City department heads regarding an adopted plan of action for transporting City in the event of a catastrophic earthquake.

- From Mayor Dianne Feinstein, regarding HRC performance and management and accountability under its Community Development Boock Grant funding (the Fair Housing Program).

- From Curtis A. Edwards, General Partner, Urban Alternatives, a copy of a letter originally addressed to Roger Boas, Chief City Administrative Officer, protesting certain actions by the San Francisco Solid Waste Management Program and its prime consultant, CSI Resources, Inc., of Boston.

DIRECTOR'S REPORT

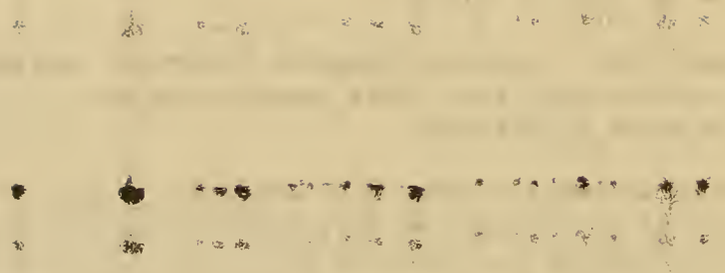
- Management Council.

Director Mickins attends the meetings of this group, which was created by the Mayor's Office to encourage the private business sector to work with government for more efficient operation. All department heads attend these monthly meetings. The most recent topic was anticipated budget constraints for 1981-82. The City expects a "shortfall" of from $30 to $50 million. It is anticipated that City departments will be asked to hold their request to a maximum of 91% of 1980-81's allocation. Formal instructions in budget preparation are to be issued shortly.

- Proposed Amendments (Supervisor Britt) to Chapters 12B and 12C.

See complete discussion below under Employment Committee. Mr. Mickins has discussed this proposed legislation at previous HRC meetings, noting that the HRC has not been asked to review or make suggestions about the proposed ordinance changes which would impose heavy mandate duties on the HRC and its staff regarding nondiscrimination protections for the disabled.

The Governmental Services Committee of the Board of Supervisors will hear public testimony on the proposed amendments at its regular meeting Friday, December 12 at 2 P.M. in the City Hall.



Mr. Mickins said the HRC has learned that some modifications will be suggested by Supervisor Britt in his original legislation.

STANDING COMMITTEES

HOUSING AND URBAN DEVELOPMENT
Caryl Mezey, Chairperson

- Discrimination in the Tenderloin: An Audit of Discriminatory Rental Practices in Tenderloin Residential Hotels- Matthew Cohen, Housing Representative, HRC Fair Housing Program.

Mr. Cohen is the author of this report, which includes a six-page narrative account of the findings of an audit/survey conducted in certain Tenderloin district residential hotels in October of 1980, and of a number of statistical tables showing its findings. Mr. Cohen's on-site survey work was assisted by Frank Shepard, hired on referral from another Bay Area fair housing program. Copies of the full report can be obtained by calling Mr. Cohen at the HRC offices.

The study, Mr. Cohen said, was done for four reasons:

1. To determine the scope of discrimination in rental housing that still exists in San Francisco;

2. To demonstrate the principal investigative tool of the San Francisco Human Rights Commission's Fair Housing Program;

3. To educate the affected populations to the means by which housing discrimination can be remedied in the future; and

4. To put landlords and managers on notice that such practices will not be tolerated.

Mr. Cohen pointed out that laws exist at all levels of government, federal, state, and local, expressly prohibiting discrimination in rental housing. Though the Tenderloin neighborhood (bounded by Market, Van Ness, Post, and Powell streets) was surveyed in October, what Mr. Cohen called "the phenomenon of discrimination" is not confined to it or to inexpensive housing accommodations in general. Past surveys, by the HRC and others, have shown that housing discrimination can be found in any neighborhood and at any socio-economic level. In the HRC's surveys of discrimination against families with children of several years ago, for example, it was found that apartments renting for $800 and more a month were just as often found to be denied to prospective renters with children as apartments renting for far less.

The Tenderloin, one of the most densely-populated areas in the City, contiguous with the downtown business district and lying between the shops and office buildings and hotels and the Civic Center and government buildings areas, has approximately 20,000 residents. A large proportion live on fixed incomes. In June of 1978, there were 2,314 cases of categorical aid and services cases for the Tenderloin. More than 7,000 recipients of Social Security live there. Family incomes as reported in the 1970 Census are far below the City averages. Mr. Cohen's reports states that,"The Tenderloin is the prime area for poor, displaced tenants and immigrants because of its relatively cheap supply of small apartments and residential hotel rooms."

The HRC audit was carried out by two workers, or "checkers," one (White) from the Fair Housing Program staff and one (Black) hired from an outside fair housing program, as mentioned. The procedure is that the Black checker goes to a residential hotel first asking for a room, and prepared, if needed, with a fictitious personal profile. (In this audit, however, no hotels asked for any background, job status, or other information.

He is followed shortly by a White checker. Depending on the response of the hotel manager or desk clerk, one of three determinations concerning their rental policies was made in this survey: 1) Discrimination, if one of the checkers was offered a room and the other was told there was presently no vacancy; 2) No Discrimination, if both checkers were offered a room, or 3) Differential Treatment, if different conditions were quoted to each checker.

Sixty-five hotels were chosen from a list of those in that part of the Tenderloin designated as the Rehabilitation on Assistance Program area by the U.S. Department of Housing and Urban Development. It was decided to end the audit when 20% (or 13) of these hotels had offered a room to either checker or to both.

In a three-day period in October, 26 randomly-selected hotels are audited. Thirteen had no vacancy for either checker. Of the thirteen remaining, 10 practiced discrimination (the White checker was offered a room fifteen minutes after the Black checker was told there was no vacancy), 2 offered a room to each checker, and 1 gave Differential Treatment in that the Black checker was offered a room on a daily basis only and the White checker was given the option of weekly or daily, for a discrimination rate of 77% in that selected sample. Only two hotels of the 13 offered a room for the same duration of time to both checkers.

The principal conclusion Mr. Cohen drew from these findings is that they establish that discriminatory rental policies are in effect throughout much of the Tenderloin residential hotel market.

Further, his report states, "If discrimination exists in an area where having the money to pay for a room is the main criterion required by hotel managers, discriminatory rental policies in other, more proporous, areas of the City must exist... Although laws barring housing discrimination have been in effect for many years, discrimination continues to be a major obstacle to minority groups in San Francisco."

Discrimination in housing can be controlled, if not halted, if the laws already exising are used by those who suffer discrimination, Mr. Cohen stated, and he cited the federal Department of Housing and Urban Development's office which receives and investigates such complaints, the California Department of Fair Employment and Housing with a local office and similar program, and, finally, the HRC's Fair Housing Program. But such programs, he cautioned, can only be effective if individuals or community groups follow through with complaints.

"In order for discrimination to be effectively remedied," he wrote," more immediate solutions (than those now available, which sometimes take more than a year to investigate, hear, and rule on) lare needed so complainants do not become discouraged. This is especially true for residential hotel residents, many of whom do not remain in the area for long periods of time, and often have other problems which demand attention."

There followed discussion of various points of the report by members of the HRC, and of a proposed Resolution Urging Elimination of Discrimination in Tenderloin Resident Housing recommended by the Housing and Urban Development Committee. It was pointed out that although the audit had covered only discrimination as practiced against Blacks, that the HRC hopes in the near future to probe the extent of discrimination against other minority groups, Hispanic, Asian, etc.

Ms. Kay Kirkland, Deputy Administrator of the California Department of Fair Employment and Housing, was present at this meeting, and addressed the HRC briefly. She commended theTenderloin discrimination audit and report as a means of impressing on the public the intent of the state to prohibit discrimination in rental housing.

She said it was preferable in achieving nondiscrimination that such means as asking landlords and managers voluntarily to sign agreements to comply with nondiscrimination be used before state enforcement powers have to be brought to bear. If the voluntary approach is ineffective, she said, the DFEH is willing, of course, to go ahead with its enforcement procedures which are applicable.

After further discussion, it was

****m/s/c that the HRC adopt the Resolution Urging Elimination of Discrimination in Tenderloin Residential Hotels. The full text is attached to these Minutes.

The main points of this Resolution are:

1. That the City should require all residential hotel owners in the Tenderloin who receive government housing money to sign a nondiscrimination policy statement, and that the HRC monitor compliance.

2. That the HRC provide information to tenants on their rights and the enforcement agencies that can help them.

3. That owners and managers of the Tenderloin be apprised of the survey and its findings and their responsibilities and liabilities under fair housing statutes.

4. That the HRC continue to urge more effective enforcement.

EMPLOYMENT
David K. Yamakawa Jr.
Chairperson

- Proposed City Policy Prohibiting Sexual Harassment--Commissioner Yamakawa.

After working for several months on this project, and with a great deal of input from Committee members and others, the Employment Committee brought this recommendation to the full HRC.

Mr. Yamakawa introduced Committee-member guests at this meeting who contributed much work in the preparation of the proposed Policy Prohibiting Sexual Harassment. They were: Ms. Richey Rice-Gore, Executive Director of Women in Apprenticeship; Mark Aaronson, of the San Francisco Lawyers' Committee; Prudence Poppink, an attorney with the State Department of Fair Employment and Housing; and Ms. Silvia Castellanos, of the Affirmative Action unit of the Civil Service Commission. Ms. Castellanos, was one of the pivotal figures in bringing the sexual harassment issue to the Committee, and in working on the draft policy. Ms. Castellanos made a brief statement commending the Committee's action on this issue and expressing the hope that the HRC's adoption would inspire other governmental agencies to follow suit, thus enhancing work conditions for women everywhere. She noted the contributions to the Committee work of representatives from Equal Rights Advocates, Women Organized for Employment, and the National Lawyers' Guild. Ms. Castellanos said that of the City's 25,398 employees, 8,886 are women, for whom adoption and implementation of the policy would, she said, mean better work opportunity and protection against discrimination.

It was announced that the Commission on the Status of Women has adopted a resolution of intent to co-sponsor this policy with the HRC before the Civil Service Commission.

It was then

**** m/s/c that the HRC adopt the recommended City Policy Prohibiting Sexual Harassment and submit it to the Civil Service Commission with the request that it be adopted as City policy and distributed to all boards, agencies, and commissions for implementation. The full text is attached to these Minutes.

Proposed Amendments to Chapter 12B and 12C of the Administrative Code to Strengthen the Nondiscrimination and Affirmative Action Provisions for the Disabled.

These amendments are being sponsored by Supervisor Harry Britt, and have been the subject of concern by the HRC for some time. The purpose of the amendments is to expand the coverage for disabled individuals and to generally strengthen and clarify the exising ordinance.

The Commissioners were provided with copies of a December 2, 1980 Memorandum to Supervisor Britt from Phyllis Walker, Deputy City Attorney, which concerns the legal problems she saw in the proposed provisions authorizing private civil actions to remedy discriminatory practices.

They also were provided copies of a Summary, mailed December 5 in advance as well, of these proposed amendments,prepared by Vicky Rathbone, HRC staff to the Employment Committee.

Mary Gin Starkweather, of the HRC staff, who has worked closely with groups and organizations from the disabled community, has coordinated much of the HRC work on this issue, including efforts to work with Supervisor Britt's staff, and to present the HRC suggestions for changes or deletions in the original proposed amendments. Ms. Starkweather was asked by Director Mickins to inform City contractors of the upcoming hearings before the Governmental Services Committee of the proposed amendments in light of provisions they presently contain for employer obligations to make "reasonable accommodations" for disabled people in the work place.

Ms. Prudence Poppink, attorney for the California Department of Fair Employment and Housing and member of the Employment Committee, then went through a Draft Memorandum of the proposed amendments to Sections 12B.1, 12B.2 and 12C.1 through 12C.3, explaining which portions she and others on the Employment Committee (Mr. Aaronson of the San Francisco Lawyers' Committee and City Attorney Phyllis Walker) had recommended be changed or deleted, with the reasons for their recommendations.

Ms. Walker explained her position on several points about the proposed amendments to the HRC, noting that she concurred in the recommendations that detailed definitions of the handicapped be left out of the ordinances (Chapters 12B and 12C) so they may be covered in HRC guidelines and regulations. She stressed that the amendments as presently proposed also would impose a heavy involvement by the HRC in implementing complaint investigations, which would inevitably require it to have more staff. She also said that there is an opportunity at this point to "clean up" the grammar and structure of the HRC ordinances as they now read.

Director Mickins stressed that the proposed amendments and the implementation requirements they would impose on the HRC will mean that the HRC would have to have additional staff. He noted that City government in the past has added duties to the HRC mandate without providing budget support. He urged that this be made a condition of passage of the proposed amendments.

Commissioner Stratton asked if other City departments could not be asked to provide expertise in those areas (such as the engineering of "reasonable accommodations" in place of employment)

where the HRC presently does not have staffing. Mr. Mickins said the expertise would be needed on the HRC staff so it is available immediately for contractors in the working out of implementation.

Commissioners were urged to attend the Governmental Services Committee meeting December 12.

- Upcoming Employment Committee Activities.

Commissioner Yamakawa announced that the Committee currently is working on modifications of the HRC Affirmative Action Program for Architects and Engineers, which should be reported to the HRC in January of 1981. At that time, there will be further discussion of concerns that arose in discussion of the Affirmative Action Program modifications for Construction Contracts, such as goals.

POLICE LIAISON

POLICE LIAISON/SOCIAL ISSUES
Joan Zamora Moulton, Chairperson

- Recommended Endorsement of Clayton Street Community Living Center Emmett Rosebrough, Coordinator.

Clayton Center is a community-based, inmate-parolee, service-residential facility established in November of 1979 to provide housing, food, counseling, job training, and job placement for a period of 90 to 120 days for individuals nearing their parole/release date from federal, state and local correctional facilities.

The Center has two locations in San Francisco; on in Clayton Street for, presently, some 21 parolees, and one on Waller Street for some 27 releasees from state mental insitutions.

There are strict in-house rules and close supervision by staff for residents who are making the transition to life outside correctional. . . . The Living Center has a contract to provide its services through the California Department of Corrections and it works as well with the California Youth Authority. Prison parolees are assigned to the Center under special conditions for the final period (90 to 120 days) of their incarceration. The Center brings job training resources to the home to provide basic guidance to persons making the transition to outside life.

Endorsements of the Clayton Street Community Center principle have come from Mayor Dianne Feinstein, Congressman Ron Dellums, Supervisor Harry Britt, a number of trade unions, the Apprenticeship Opportunities Foundation, Women in Apprenticehip Program, etc.

It was

****m/s/c that the HRC endorse the concept and principle of the Clayton Street Community Living Center.

GAY ADVISORY
Phyllis Lyon, Chairperson

- Jackie Winnow, HRC staff as Gay Liaison Worker to the GAC was introduced by Commissioner Lyon and commended for her contributions.

- Recommendation that HRC-initiated Civil Service Commission Policies Affect All City Employees.

The Committee recommended that:

When a policy has been adopted by the Civil Service Commission at the request of the Human Rights Commission, it should include

all employees working for the agency, not simply those who are Civil Service employees. Such a policy would be the Policy Regarding the Use of Slurs by City Officials and Employees. The Human Rights Commission should transmit policies directly to agencies which have non-City, non-Civil Service employees, requesting that the policies be adopted. The specific agencies affected are the San Francisco Unified School District, the Community College District, the Redevelopment Agency, and the San Francisco Housing Authority.

It was

****m/s/c that this recommendation be adopted.

- Request for Co-Sponsorship, with the Sexual Orientation Project of the California State Personnel Board, of a San Francisco Lesbian/Gay Community Meeting in San Francisco in February, 1981.

It was

****m/s/c that this co-sponsorship be authorized.

- Anti-Gay Violence Discussions.

The GAC has devoted much attention to the current crisis in reports of incidents of violence against Gay people in public in the City. It has wished to assist as it can the work of the Intergroup Clearinghouse on the tensions that have grown out of an incident in early November in Dolores Park which has led to the involvement of both Gay and Latino youth groups.

Commissioner Lyon also reported that the Committee had studied the tabulations of the Community United Against Violence of the assaults reported to them, which noted that 30% were reported as made by Whites; 30% by Hispanics, and 40% by Blacks.

Commissioner Lyon said the Committee also notes with shock the increasing amount of public violence affecting all people, and that there is a feeling that homophobia (an unreasoning fear of homosexuality) seems to be permeating the entire country. The Committee, she said, is concerned also that the summer of 1981 may see increasing numbers of fundamentalist evangelical groups coming into the Polk Street and Castro Street neighborhoods and "haranguing" the residents with their point of view on human sexuality.

The Committee continues to wish to work with the schools in information/education programs for young people on Gay lifestyles.

- Police Commissioner Jo Daly will be a guest at the next GAC meeting.

Director Mickins reported that the Intergroup Clearinghouse Steering Committee has been working steadily and effectively since early November regarding resolution of the Gay-Latino youth tensions. There have been smaller group and individual meetings within these two communities and they will shortly have a joint meeting, aimed at defining specific problems and recommending specific actions to resolve them. Director Mickins, Joseph Meza, and Jack Casford provide staff support for the I.C. in its many meetings and activities. The Mayor formally announced her full support of the I.C. in this work at a press conference November 7.

Mr. Mickins said the Steering Committee will be asking for budget support to provide fulltime staff for its work.

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